

**LEGAL IMMIGRATION TO THE UNITED
STATES: A DEMOGRAPHIC ANALYSIS OF
FIFTH PREFERENCE VISA ADMISSIONS**

A STAFF REPORT

PREPARED FOR THE USE OF THE

**SUBCOMMITTEE ON IMMIGRATION AND REFUGEE
AFFAIRS**

**COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**



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FOREWORD

BY

Senator EDWARD M. KENNEDY, *Chairman*

AND

Senator ALAN K. SIMPSON, *Ranking Minority Member*

Acting upon the 1981 recommendations of the Select Commission on Immigration and Refugee Policy, the Congress finally enacted last year some major reforms of our immigration law. These reforms were principally in the area of controlling illegal migration. Left still to be done is the other half of the Select Commission's report on needed reforms of our legal immigration system—especially a review of existing quotas and our immigration preference system. This is now the challenge which Congress faces, and which we hope to secure action on during this, the 100th Congress.

Critical to this task is a need to dispassionately review the current preference system, to see if it is working as intended, and whether some adjustments may be long overdue. In support of this effort the Subcommittee over the past year had the research assistance of a Congressional Fellow, Dr. John M. Goering, who serves with the Office of the Assistant Secretary for Policy Development and Research in the U.S. Department of Housing and Urban Development. After a year of intensive research, Mr. Goering has submitted an extraordinarily thoughtful and thorough report on "Legal Immigration to the U.S.: A Demographic Analysis of Fifth Preference Visa Admissions."

Because the information contained in this report will be helpful to better congressional and public understanding of the preference system, particularly fifth preference relating to the admission of brothers and sisters of U.S. citizens—a key issue to be addressed—we are releasing it as a committee print.

We commend Mr. Goering for his work and for his contribution to the policy debate on proposals for adjusting the fifth preference immigration quota.

ACKNOWLEDGMENTS

A number of people have been of considerable assistance in enabling me to complete this research report. Most importantly, I would like to thank Senator Alvin K. Simpson, who provided me with the facilities and encouragement necessary for this project. Richard Day, then Staff Director for the Senate Subcommittee on Immigration and Refugee Policy, allowed me to share his office and provided much-needed guidance and assistance. A number of colleagues also provided valuable advice and assistance throughout the research, including Michael Teitelbaum, Joyce Violet, Carl Hampe, Jerry Tinker, Robert Gardner, Leon Bouvier, Robert Warren, Michael Hoefer, B. J. Harper, and Lisa Ronay. Ambassador Joan Clark, Assistant Secretary for Consular Affairs at the State Department, provided access to preference petition data from select consular posts. Her staff, including Phyllis Bucsko, Margerite Coffey, Royce Fichte, Seton Stapleton, and Bili Muller were of considerable assistance in facilitating this request as well as in providing special tabulations. Jeanne Griffith, of the Congressional Research Service, offered useful guidance on a number of demographic issues.

During the preparation of the legislative history of the 1965 amendments, a number of individuals provided useful insights and information concerning the development of the preference system for visa allocations. I am grateful to Abba P. Schwartz, Dale S. de Haan, Norbert Schlei, Jim Cline, David Reimers, John McCarthy, and Michael Yavenditti. Michael Feighan, former chairman of House Judiciary Subcommittee No. 1, indicated that his congressional papers at Princeton University might be a source of additional information.

The Office of Policy Development and Research at HUD graciously sponsored my Congressional Fellowship, allowing me to join the staff of the U.S. Senate Subcommittee on Immigration and Refugee Policy in 1986.

The opinions expressed in this paper do not necessarily reflect the views of the U.S. Department of Housing and Urban Development or the Federal Government. Any errors or ineptitude in this paper are the sole responsibility of the author.

This paper is dedicated, with love, to Suzie Goering.

JOHN M. GOERING,
Washington, DC.

April 1987.

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LEGAL IMMIGRATION TO THE UNITED STATES: A DEMOGRAPHIC ANALYSIS OF FIFTH PREFERENCE VISA ADMISSIONS

I. PURPOSE AND REPORT OUTLINE

The purpose of this paper is to provide a description of both the legislative history and the demographic characteristics of the brothers and sisters preference category within current U.S. immigration law. The legislative history traces the evolution of the system of preferences in relation to various Presidential commissions, congressional hearings, and policy research, with particular emphasis on current legislative provisions enacted in 1965. The demographic analysis provides data from the Immigration and Naturalization Service and the State Department on the number and characteristics of immigrant admissions and backlogs over the last 5 to 10 years. This empirical analysis concludes with a brief discussion of the issue of chain migration or the multiplication of immigrants via the fifth preference. A number of policy observations are contained at the end of this report.

The recent passage of the Immigration Reform and Control Act of 1986 may focus increased attention on the system of legal immigration due to the impact of legalization upon immigrant admissions.¹ This paper offers previously unavailable evidence which will hopefully be of relevance in assessing the need for legislative reforms of the preference system.

To facilitate the reading and use of this paper it is helpful to outline the structure of the report. The following section, part 2, focuses on the legislative history of fifth preference followed by a brief description, in part 3, of data sources used. Parts 4 and 5 contain an analysis of evidence on fifth preference admissions and backlogs, with the bulk of the tables referred to in this section contained at the end of the report, following the references.

Part 6 of the paper contains a discussion of the fifth preference visa "multiplier," drawing upon a recently completed statistical analysis.

Part 7 includes a brief summary of the paper as well as policy observations and suggestions.

The references or bibliography is the next part of the report, followed by most of the data tables.

¹ The reform of legal immigration has recently been subsidiary to congressional review of the Simpson/Rodino bill regarding illegal immigration. The subsidiary character of the reform of legal immigration has been determined by the congressional, and popular, perception that restricting or eliminating the flow of *illegal* immigration is a necessary prerequisite to altering the system for the admission of legal immigrants; that is, it is necessary to close the back door before any further opening of the front door of immigration. (Teitelbaum 1980; Fuchs 1983; Greenwood and McDowell 1985; Harwood 1985; Violet 1986.)

There are three appendices at the conclusion including appendix A which contains comments from the Visa Office at the State Department on the limitations of certain data, appendix B which contains critiques of published material on the immigration multiplier, and appendix C which contains a brief overview of an ongoing, large scale analysis of legal immigration currently being completed by GAO.

II. A BRIEF LEGISLATIVE HISTORY OF THE PREFERENCE FOR BROTHERS AND SISTERS IN U.S. IMMIGRATION LAW

This section provides a brief overview of key issues and decisions in the evolution of the preference for brothers and sisters in U.S. immigration law. The objective is to understand how current provisions regarding siblings were enacted into law as well as to consider recommendations for legislative reform that have been made since enactment in 1965.

It is useful to divide the legislative history of fifth preference admissions into three time periods. The first period involves the development of preference and non-preference provisions for siblings prior to 1965 with special emphasis on the Immigration and Naturalization Act of 1952. The second period involves the passage of the 1965 amendments in which a key role was played by the House Subcommittee No. 1. The third and current period covers recent investigations and hearings involving the preference system, with the findings and recommendations of the Select Commission on Immigration and Refugee Policy playing a central role.

During these three time periods the degree of emphasis upon the admission of family members, such as siblings, has pendulated—moving from principles of family reunification to labor certification. Current law, providing nearly one-quarter of all immigrant visas to siblings, represents an apparent high-point in the allocation of visas for the reunification of brothers and sisters of adult U.S. citizens.

By focusing solely on the evolution of the preference for siblings, this analysis ignores most of the major political and contextual factors that influenced the overall shape of U.S. immigration law. Controversies over whether immigration should be restricted, about the biases of the national origins system, exemptions for Western Hemisphere neighbors, as well as concern over displaced persons, refugees and illegal immigration have at various times determined whether and how the immigrant preference system would operate. Perhaps the major determinant of family unification since the 1920's has been the ceiling on the number of immigrants to be admitted; the lower the ceiling the fewer the number of immigrants which can be admitted to rejoin their families. Congressional willingness to exempt immigrants from Canada and Mexico up until 1976 from preferences applied to other nations has been another major policy theme which has influenced the reunification of siblings.

Congressional deliberations concerning many of these basic legislative issues are, however, beyond the scope of this paper. This analysis indeed assumes that the reader will be familiar with the major legislative or contextual issues which helped shape the broad

outlines of U.S. immigrant preferences. For such background the reader may turn to Hutchinson (1981); Auerbach (1963); Higham (1984); Reimers (1983); Reimers (1985); Stern (1975); Violet (1980); or the Select Commission on Immigration and Refugee Policy (SCIRP 1981a). A crucial part of this background is that the immigrant preference system played a relatively minor role in determining immigrant admissions prior to 1965, under the McCarran-Walter Act, but a decidedly more central role following enactment of the 1965 amendments.

There are a number of other important themes which appear throughout the legislative evolution of the immigrant preference system which help tie together the three historical periods. First, Congress has focused on basically three categories of legal immigration since deciding to restrict immigration in the 1920's. The first category includes family members seeking to be reunited with their relatives. Second has been the desire to assist displaced persons and refugees. Third, there has always been a desire to utilize the preference system to positively select those persons who would offer the economy needed skills, talents, or resources.

Second, the preference system has become more detailed, in part because of its increased importance following the abolition of the national origins system, but also because of a congressional inclination to become more proscriptive and less trustful of executive branch decisions, regardless of the political party of incumbents. Congress has demonstrated an increasingly circumscriptive attitude towards the administration of the preference system with a clear tendency to reduce the authority, or flexibility, of the executive branch in selecting immigrants.

Third, there has been a tendency for Congress to seek legislative reform of the preference system to address long waiting lines, or backlogs, of immigrants but to make little effort to substantially increase the numbers of immigrants admitted. That is, backlogs have been seen as the distinctive Achilles heel of the system of selection rather than the worldwide or country ceilings on numbers to be admitted. At the same, there has been relatively little attention paid to understanding fluctuations in the size and duration of immigrant visa backlogs or the rate at which immigrants drop off visa waiting lists.

IMMIGRANT PREFERENCES PRIOR TO 1965

The immigration scholar, E.P. Hutchinson (1981: 210) notes in his comprehensive review of immigration laws that it was during the period between 1913 and 1929 "that immigration law crystalized into the form it was to maintain for many years to come and in many respects still remains." The evolution of preferences for brothers and sisters in U.S. immigration law in fact began in 1921, in the 66th Congress, when the House debated a variety of measures aimed at restricting or limiting the flow of immigration. One of the restrictions proposed was to limit immigration only to immediate blood relatives. (Hutchinson 1981: 174.) Restrictionist sentiment at the time was, however, partly counter-balanced by the recognized obligation to provide immigration waivers for spouses and minor children of citizens and aliens. Family unification was, first

and earliest, a concern for immediate or nuclear family members. This concern was soon converted into provisions for the admission of immigrants outside of the system of quotas or preferences; what is now termed numerically exempt immigration.

The 67th Congress, on May 21, 1921, passed immigration legislation which provided the first codification of the preference for family unification. The Act stated that such preferences would be granted:

So far as possible to wives, parents, brothers, sisters, children under eighteen, and fiancées of citizens, resident aliens who had made application for citizenship. (Hutchinson 1981: 180.)

Congress, thus, lumped together a variety of non-mandatory preferences, providing the first legislative specification of the principle of family unification.

In 1923, the 68th Congress recommended that nonquota preference be limited to only wives and children of citizens, a provision subsequently incorporated into the Immigration Act of 1924. The preference system for numerically restricted, or quota, immigration had two categories: parents of U.S. citizens, including workers with certain agricultural skills, and a second preference for wives and unmarried children of resident aliens. Each category received half of all visas allocated. Any portion of the national origin quotas not used by the preference classes for a country were then to be made available to non-preference immigrants. The Department of State, by regulation, established priority dates for admission. (U.S. Senate Committee on the Judiciary 1950: 432; SCIRP 1981b: 301-303.)

Thus, as of 1924, Congress rejected the option of providing a preference for siblings, or for most other relatives, in either the quota or non-quota classes, although such relatives might possibly be admitted as skilled agriculturalists. It must be noted that congressional attention was primarily focused at this time on the system of national origins and the numerical ceiling, with comparatively little attention given to the system of preferences.²

Following the passage of the Immigration Act of 1924, congressional attention focused on private bills and special legislation aimed at addressing the needs of relatives of U.S. citizens as well as the need for skilled workers. (Hutchinson 1981: 196-207.) Following World War II, a number of Federal agencies, interest groups, as well as Congress focused attention on the major revisions on the 1924 Act including the system of preferences.

In 1947, the Senate authorized the first major study of immigration problems since the investigation by the Dillingham Commission near the beginning of the century. (Divine 1957: 165-166; Fuchs 1983.) During the course of its hearings a number of witnesses indicated the importance of providing a preference for sib-

²For a useful account of the lack of precision and clarity, in the development of the national origins system in 1924 see the *Congressional Record, House* (August 24, 1965): H 20781-20786. In 1923, congressional committees proposed a distinction between preferences within the national origins quota classes and those which were outside, or nonquota. The latter was to include spouses, parents, as well as unmarried minor siblings, nieces and nephews (Hutchinson 1981: 184). A distinctive preference for immigrants with special occupational skills was also emphasized as long as such workers could not be found in the United States. These legislative provisions were not, however, considered by the full House and expired at the end of the session.

lings. The Association of Immigration and Naturalization Lawyers, for example, wanted the preference classes to be enlarged to "include brothers, sisters, grandparents, and all relatives of American citizens within the third degree of consanguinity of common law". (U.S. Senate Committee on the Judiciary 1950: 434.) The Senate report indicated clear opposition to such an expansive definition of familial preferences.

It is the opinion of the subcommittee that there is no adequate justification for extending the first-preference class to include additional relatives of American citizens. It is believed that any first-preferential treatment of relative immigrants should properly be limited to parents of American citizens over 21 years of age. (U.S. Senate 1950: 434, 435.)

The determination was made not to overlegislate the preference system but rather to encourage the Department of State to revise its administrative procedures and regulations to provide an increased non-preference priority for siblings.³

During the period from 1949 to 1951, a number of legislative initiatives were proposed in the House and Senate including a system of five preference classes, with 10 percent of visas for a new fourth class allocated to a variety of family members including brothers, sisters, nieces and nephews. (Hutchinson 1981: 290-301.) None of these bills, however, was reported out by their committees.

In the 82nd Congress, in 1952, Senator McCarran reported out S. 2250 with a system of four preference classes. The first preference, which absorbed 50 percent of visas, was for immigrants with special skills and their spouses and children. An additional 30 percent was allocated in second preference for parents of citizens, with 20 percent of visas for third preference for spouses and children of resident aliens. The fourth preference was "to receive any remaining unused portion of a national quota in the allocation of which preference not more than 25 percent of the total was to go to brothers and sisters, sons and daughters of citizens." (Hutchinson 1981: 304.)

The Senate thus proposed giving highest priority for the admission of those urgently needed because of their skills, experience, or education. Family unification was a secondary consideration and absorbed the remaining 50 percent of visas, with brothers and sisters receiving a conditional 25 percent of any unused visas. That is, the allocation of visas to the first three preferences was absolute, while the allocation to the fourth was relative in that they only became available if quota numbers were not absorbed by the first three preferences. (Auberback 1963: 111; SCIRP 1981b: 316.)

This legislative provision emerged almost directly from the hearings of the Senate Judiciary Committee. The members of the Committee, while rejecting the option of a first come, first served principle, nevertheless:

³ After reviewing all the testimony, Senator McCarran of Nevada submitted a 900-page report to Congress on April 1950. (U.S. Senate Committee on the Judiciary 1950: 1.)

Agreed on the need for a greater degree of positive selection of immigrants, and they recommended a system of economic selection within the quotas. Instead of granting priority to relatives of citizens and resident aliens, the report suggested that the first 30 (sic) percent of the quota be reserved for immigrants whose services were needed by industries, universities, or government agencies in the United States. . . . In the words of the subcommittee report, "more emphasis should be placed upon the interests and needs of the United States in determining who among the applicants for admission should be admitted." (Divine 1957: 168; SCIRP 1981b: 311-315.)

The four-category selection system was adopted by Congress with little debate and, following an override of a Presidential veto, became law on June 27, 1952. The preference categories, however, only applied to immigration from Eastern Hemisphere countries. (Congressional Research Service 1979: 8-9.)

The Immigration and Nationality Act of 1952 both distilled and codified prior experience and recommendations with an apparent emphasis on the recommendations of consular officials. More importantly, within the national origins system, preferences for immigrants with special skills were given the highest priority with a minor emphasis on the reunification of siblings. In the numerically unrestricted categories it added husbands of U.S. citizens to wives and children already exempt under the 1924 Act.

The 1952 Act quickly became the focus of intense political criticism and as well as "persistent efforts at revision and relaxation." (Divine 1957: 164; Hutchinson 1981: 313.) In September 1952, President Truman established a Presidential Commission on Immigration and Naturalization which issued its report, *Whom We Shall Welcome*, in 1953. (SCIRP 1981b: 319.) The Commission, while highly critical of the national origins system, recommended few changes in the system of preferences. (Reimers 1985: 63.) By 1956, President Eisenhower had sent a message to Congress recommending an examination of immigration policies in particular as they related to "the needs of this country for persons having specialized skills or cultural accomplishments (and) close family relationships." (Congressional Research Service 1979: 161; SCIRP 1981b: 319-320.)

In Congress, efforts were made to try to correct some of the shortcomings of the national origins system as well as to address pressing problems associated with displaced persons. In 1957, for example, Congressman Michael Feighan proposed a method to utilize unused quota numbers in a trial period to support three preference criteria: workers with specialized skills or training, refugees from communism, and finally, the reunification of families since "to reunite these families is to act in concert with our political philosophy which holds that the family is the basic unit of society." (Feighan 1957.)

Congress did not adopt this proposal but, by 1959, had passed legislation requiring the second and third preferences to include only unmarried sons and daughters and increased the allocation of fourth preference for brothers and sisters to 50 percent of any

unused in the first three groups. The statement of the fourth preference was changed to read, in part:

Qualified quota immigrants of each quota area who are the brothers, sisters, married sons or daughters of citizens of the United States shall be entitled to a preference of not exceeding 50 per centum of the immigrant visas available for issuance for each quota area under this paragraph, and such preference shall be available to the spouses and children of such qualified quota immigrants if accompanying them. (Congressional Research Service 1979: 21-22; Masanz 1982: 6.)

By the early 1960's, backlogs of applicants for visas had become an increasing source of concern to Congress. In 1961 and 1962, provisions were made to allow backlogged preference cases to be allocated to nonquota status. As the Congressional Research Service (1979: 45) noted:

The willingness of the Congress to enact these special nonquota programs to relieve backlogged preferences under the quota system appears to reflect a gradual shift in focus, at least on an ad hoc basis, from the regulation of immigration on the basis of national origins to a regulation based on the values represented by the preference system—the admission of aliens with needed skills and the reunification of families.⁴

Considerable interest also existed at this time for the admission of aliens with special skills with proposals to grant nonquota status to those in first preference backlogs. (Hutchinson 1981:356.) Thus, by the mid-1960s, opposition to the racism of the national origins systems combined with concerns over long backlogs of immigrants to create pressure for a major legislative overhaul of immigrant admissions policy.

THE 1965 ACT

Both Congress and the late President John F. Kennedy, initiated major changes in the 1952 Act within 10 years of its passage. The House Judiciary Subcommittee No. 1, for example, began 2 years of hearings in June 1962. President Kennedy in January 1963, announced his intention to propose major changes in immigration law. (Schwartz 1968: 119; Hutchinson 1981: 357; SCIRP 1981b: 323; Reimers 1985: 65.) In July 1963, he submitted a proposal to change the national origins system to a system of ceilings and preferences based on skills and the family relationships of the immigrant. The core of this revision was the abolition of the national origins system and its replacement with a first come, first served prefer-

⁴ Reimers (1983: 14) makes a similar point:

Repeated special legislation for displaced persons, Cold War refugees and other groups and the use of the parole power enabled hundreds of thousands to enter outside the regular national origins quotas. By the early 1960's two-thirds were nonquota. . . . That the national origins system was not working as intended gave further ammunition to reformers in their quest to replace it with a nondiscriminatory policy.

Senator Edward Kennedy in his opening remarks before full Senate debate of the 1965 amendments stated: "We cannot continue to respect a law we constantly seek to circumvent." (*Congressional Record, Senate*, September 19, 1965, S 24225.)

ence system. The text of President Kennedy's message to Congress on immigration in July 1963 stated:

I recommend that there be substituted for the national origins system a formula governing immigration to the United States which takes into account (1) the skills of the immigrant and their relationships to our needs, (2) the family relationship between immigrants and persons already here, so that the reuniting of families is encouraged, and (3) the priority of registration. Present law grants a preference to immigrants with special skills, education or training. It also grants a preference to various relatives of U.S. citizens and lawfully resident aliens. But it does so only within a national origins quota. It should be modified so that those with the greatest ability to add to the national welfare, no matter where they are born, are granted the highest priority. The next priority should go to those who seek to be reunited with their relatives. As between applicants with equal claims the earliest registrant should be the first admitted. (Quoted in Schwartz 1968: 211.)

The most important priority for both the Kennedy and Johnson administrations was, however, to abolish the system of national origins and only secondarily to replace it with a specific system of preferences. "The President's concern was to get rid of national origins. Whether the priority (in preference) was to labor or family was not an overriding consideration at this time." (Schwartz 1986; Schlei 1986; Kennedy 1966.)

A number of bills representing the administration's proposals were introduced in the House and Senate in 1963, 1964; and 1965. On the House side, the chairman of the House Subcommittee No. 1, Michael Feighan began hearings on the administration's bill in August 1964.⁵ At the same time he made clear that he was basically unsupportive of the Johnson administration's approach saying at the time that:

Our hearings to date reveal there is great disagreement about what our immigration policy is or ought to be. Testimony in support of H.R. 7700 (the Kennedy-Johnson bill) has been inconclusive, in some important respects, conflict-

⁵ The text of the Johnson administration's proposal, on January 13, 1965, to amend the Immigration and Nationality Act included the following language covering the preference system:

Quota members are issued in the order of preference specified in amended section 203 of the Immigration and Nationality Act. That is, first call on the first 50 percent is given to persons whose administration, by virtue of their exceptional skill, training, or education, will be especially advantageous to the United States; first call on the next 30 percent, plus any part of the first 50 percent not issued for first preference purposes, is given to unmarried sons and daughters of U.S. citizens, not eligible for nonquota status because they are over 21 years of age; first call on the remaining 20 percent, plus any part of the first 80 percent not taken by the first two preference classes, is given to spouses and unmarried sons or daughters of aliens lawfully admitted for permanent residence and any portion remaining is issued to other quota visa applicants, with percentage preferences to other relatives of U.S. citizens and resident aliens, and then to certain classes of workers. Amended section 203 further provides that within each class, visas are issued in the order in which applied for—first come, first served.

In 1966, Senator Edward Kennedy noted that Mr. Feighan's proposal had "drastically revised and broadened the preference system to seven classes . . . and eliminated any meaningful statutory flexibility for the President to act in times of emergency." The original Kennedy administration proposal had left the preference structure of the Act of 1952 "in the main, retained." (Kennedy 1966: 144, 140.)

ing and uncertain. It is apparent the Congress will require studies, investigations, and public hearings in depth to weld an immigration policy. . . . (Feighan 1964.)⁶

Feighan reintroduced his own legislative proposal at this time proposing, much as he had in 1957, to retain the national origins system while a Selective Immigration Board experimented with a new, three-category preference system. Feighan's preferences, unlike those proposed by the administration, included family reunification first, followed by the need for skilled workers, and then a new category for refugees or "victims of communist and totalitarian persecution." The chairman of the House Judiciary Committee, Emanuel Celler, initially refused, however, to provide the Feighan subcommittee with either the staff or resources for a "protracted" process of research and hearings. (Stern 1975: 42-45.) Celler, supportive of the Johnson proposal, pressed Feighan for action to eliminate the national origins system.

By February 1965, Congressman Feighan had succumbed to a variety of pressures and agreed to the prompt elimination of the national origins system.⁷ In an address before the American Coalition of Patriotic Societies, in February 1965, he announced his intention to work for repeal of national origins and its replacement by a system of preferences in the following order of priority: family unification, needed skills, and refugee status. (Stern 1975: 72.)

By June 1965, Feighan and his legislative adviser, Edward O'Connor, had drafted a more comprehensive version of the preference system as an alternative to the Johnson administration proposal. In place of rather general provisions in the Johnson bill, Feighan substituted a more detailed draft putting much greater emphasis on family reunification and adding a preference category for refugees. (Schlei 1987.)⁸ This draft became the ultimate basis for the final legislation and included the following provisions:

First preference is given, without any limit on the numbers, to spouses, children, and parents of U.S. citizens.

The numbers which will remain after the first preference is satisfied will be available to the following six classes, in the percentages indicated:

Second preference, 10 percent to members of the professions and scientists, and persons with skill and the talent in visual and performing arts yet become citizens.

⁶ Hearings in the House were delayed considerably because the Subcommittee's Chairman (Mr. Feighan) "evidenced little public interest in immigration reform, and, in any case, was opposed to the formulation recommended by the President" (Kennedy 1966: 141.)

⁷ Feighan was engaged in a contest over control of resources for his Subcommittee with the chairman of the House Judiciary Committee, Emanuel Celler. Celler's firm support of the Kennedy-Johnson proposal therefore did not impact on Subcommittee No. 1 in the direction Mr. Celler desired. (Stern 1975: 42-45.) This in-house controversy was probably of some importance in determining the inclination of Mr. Feighan to redraft a bill to his own liking to put his own stamp on it. (Kline 1987.) Coupled to this were pressures from Feighan's constituency in Cleveland, Ohio, who were concerned about his apparent, or implicit, support for the now pariah national origins system. Indeed, only a handful of members of Congress openly supported the discriminatory aspects of the 1952 bill in view of the marked liberal character of the 89th Congress and popular pressure to ban all forms of racial and ethnic discrimination. (Stern 1975: 55-57.)

⁸ Norbert Schlei was the Assistant Attorney General in the Department of Justice who in 1965 assumed the responsibility, from Abba Schwartz in the State Department, for negotiating the details of final passage of the 1965 Amendments with Congress. He reported directly to Jack Valenti at the White House. Mr. Schlei is currently in private practice in Los Angeles.

Third preference, 20 percent to spouses, children, and parents of aliens who have previously been admitted for permanent residence but who have not yet become citizens.

Fourth preference, 20 percent to married sons and daughters of U.S. citizens.

Fifth preference, 20 percent to brothers and sisters of U.S. citizens.

Sixth preference, 20 percent to persons with skills which are found by the Secretary of Labor to be unavailable or in short supply in this country.

Seventh preference, 10 percent to refugees from Communist tyranny and oppression with a proviso that up to one-half of this number may be used by persons who have been offered a temporary refuge in this country upon a finding that they are unable or unwilling to return to their homelands because of persecution or fear thereof, and only after 2 years residence in this country.

Only after the above preferences have been satisfied will visa numbers which remain be made available on a first-come, first-served order of registration to nonpreference applicants on a worldwide basis (Feighan 1965).

Thus, first preference was allotted to previously numerically exempt relatives, with the second and sixth preferences allocated for needed labor. Fifth preference was initially allocated 20 percent of all visas and refugees, in seventh place, received 10 percent. These seven preference categories were retained throughout subsequent legislative revisions although there were important changes in the position of the preferences in the overall seven category scheme as well as changes in the proportions allocated to each category.

Beginning in January 1965, congressional hearings on the reform of legal immigration obtained the views of a diverse collection of ethnic, religious, and labor organizations. Witnesses expressed uniform opposition to the national origins systems, including groups such as the American Coalition of Patriotic Societies, which had previously been supportive of McCarran-Walter. The Sons of Italy, Liberty Lobby, the American Immigration Citizenship Conference, and the National Catholic Welfare Conference all generally supported the goal of family reunification with little concern over labor preferences. Large backlogs of visa applications for Italy and Greece were at least partly responsible for pressures by these interest groups to increase visa allocations for family members, including brothers and sisters. Congressman Rodino, a member of House Subcommittee No. 1, was instrumental in highlighting these needs. (Schlei 1987.)

Organized labor also testified against the national origins system but expressed reservations about the proposed means for implementing the new labor preferences.⁹ Working with Congressman

⁹ The position of organized labor vis-a-vis immigration legislation has altered over the past several decades. In the period during and after World War II, a number of bills were proposed aimed at restricting the immigration of foreign workers. "Both the American Legion and the

Continued

Arch Moore, new labor certification requirements were soon introduced which increased the difficulty of obtaining labor visas. (Stern 1975: 107-109; Reimers 1985; Schlei 1987.)¹⁰

At the same time, the House Subcommittee was also highly critical of the administration's proposal which was aimed at increasing executive branch flexibility in immigrant admissions. Congressman Feighan, for example, stressed the importance his draft bill placed on congressional control over immigration, noting that:

This bill rejects all proposals which would have blurred the constitutional lines separating the legislative and executive powers and vigorously rejects the proposed delegation of Congressional authority to the executive for establishing policy to govern the admission of immigrants into the United States. (*Congressional Record, House*, August 24, 1965, H 29787.)

In particular, he rejected any role for an independent immigration control board to periodically establish visa preference requirements on a flexible basis. (H 20787; Kennedy 1966: 143; Schwartz 1968: 115-116.) Congressman Arch Moore went on to state that "the series of tight, close checks upon all who would enter is retained in our immigration law. The proposed amendments include *even more restrictive provisions* to safeguard the American economy, the American worker" (H 2079; emphasis added.) Mr. Moore also commented on the proposed immigration review board, calling it an "unworkable monstrosity" and an "obvious effort to weaken the Congressional control of our immigration policy." (H 20794.) Thus the House not only reversed the preference priorities of the Johnson administration proposal by stressing family over labor considerations, but it also acted to reduce the autonomy of the executive branch in making future changes in the preference system.

The Johnson White House closely monitored these legislative provisions, with Jack Valenti making basic decisions. The chief concern, again, was the elimination of the national origins system with the expectation that they could refine or change specific preference proportions at a later date. (Schlei 1987; Stern 1975: 323-327; Kennedy 1966: 143-166; Schwartz 1968: 119, 123.) It was indeed expected by some that the imperfectly crafted preference categories would be improved within the year. (Kline 1987.)

It has also been argued that the Johnson administration was more concerned about the passage of the Voting Rights and Fair Housing Acts and did not want to generate controversy by resisting congressional proposals. (Reimers 1985: 73; Miroff 1981.) For whatever reasons, the administration cooperated with the House sub-

Daughters of the American Revolution advocated a policy of suspension until unemployment dropped below the million mark and all veterans had found peacetime jobs." (Divine 1957: 157.) Interestingly, in 1945, organized labor reversed its traditional position and supported increased immigration "with representatives of both the CIO and the AFL stressing the need for continued immigration to avoid a national isolationism." (Divine 1957: 159.)

¹⁰ "Aside from reducing the priority and numbers available for skilled workers, the 1965 Act further restricted the entry of nonrelatives by strengthening the wording of the applicable grounds for exclusion of immigrant workers, the labor certification process." (SCIRP 1981b: 327.)

committee, quickly leading to House approval on August 25, 1965.¹¹

On the Senate side, the Immigration Subcommittee held hearings on the administration's bill beginning in January 1964 and again from February to August 1965. Senator Kennedy, Acting Chairman of the Subcommittee, made it clear that the bill served two basic purposes, stating that "the preferences under this bill reflect our strong humanitarian belief in family unity as well as personal merit." Labor preference he acknowledged had been tightened "to further protect our labor force during periods of high unemployment." (*Congressional Record. Senate*. September 17, 1965: S 24227.) Senator Kennedy met with many opponents and supporters of the administration's bill frequently finding areas of compromise and agreement. (Kennedy 1966: 142.)

The Senate subcommittee, like the House, also heard criticism of the increased flexibility or authority to be assigned to the proposed Immigration Board and watched as the House made numerous

¹¹ The most complete statement of the legislative considerations involved in the formulation of the current preference system is contained in the House Report accompanying H.R. 2580. The report states:

Congress has progressively enacted special legislation to permit reuniting of families. These special laws supplemented the basic immigration law and provided for the admission, generally on a nonquota basis, of the unfortunate who have been uprooted and displaced by political upheavals. The performance of the Congress in the field of immigration in the post-war period has been far more generous and sympathetic than adherence to the national origins system alone would allow. The failure of that system is noted by the pattern of immigration over the years. More recently, legislation has clearly reflected the intent of the Congress to relieve human pressures created by quota restrictions. Existing law has not kept pace with the needs of our own citizens and our foreign policy to the extent that inevitable pressures built up and had to be relieved by humanitarian special legislation.

In place of the national origins system the bill establishes a new system of selection designed to be fair, rational, humane, and in the national interest. Under this system, selection from among those eligible to be immigrants within the annual numerical ceiling of 170,000 (inclusive of 10,200 refugees) will be based upon the existence of a close family relationship to U.S. citizens or permanent resident aliens and not on the existing basis of birthplace or ancestry. *Reunification of families is emphasized as the foremost consideration. The closer the family relation the higher the preference* (emphasis added). In order that the family unit may be preserved as much as possible, parents of adult U.S. citizens are considered to be part of the immediate family unit and thus are given first preference status. As the family relationship becomes more distant a lower preference status is accorded.

Preference is also provided for those professional people, with personal qualifications, whose services are urgently needed in the United States. Aliens capable of filling labor needs are given lesser preference.

The principle of selection within preference categories is not unlike the present preference system; however, the bill has a revised order of preferences to first reunite families and next to admit those aliens, without family ties in the United States, who will contribute to the national economy, welfare, and cultural interests of the United States.

The selection system, in summary, is based upon first come, first served, without regard to place of birth, within the preference categories and subject to specified limitations designed to prevent an unreasonable allocation of numbers to any one foreign state.

The order of preferences within this system is consistent with the recommendations developed in the course of committee hearings. (U.S. House Committee on the Judiciary 1965: 12.)

There is, unfortunately, no complete legislative record of the influences and options considered by Congress particularly in the numerous executive sessions at the time it formulated the current system of preferences. None of the key actors have left a written record of the private deliberations conducted by the representatives of Congressman Feighan, Senator Kennedy, the Department of Justice, the White House, and various interest groups. The factors that led to the dramatic reduction in visas for employment purposes and the dramatic increase in visas for siblings are two of the decision points which remain poorly documented. The high proportion of visas, for example, allocated to fifth preference has been attributed to the desire to eliminate the substantial backlog of applicants in countries such as Italy (SCIRP 1981G: 327) as well as a desire to accommodate the interests of organized labor and the Catholic Church (Reimers 1985). It is unclear, however, what the precise influences were which converted the 1952 preference system as well as that proposed by President Kennedy into the preference system in current law. (Schwartz 1986; Schlei 1987.)

changes and substitutions in the administration's bill including elimination of the Immigration Board.

The Senate Subcommittee on Immigration took only one day to report the House bill to the full Judiciary Committee in September 1965. A few amendments were then added including a major provision putting a prospective ceiling on Western Hemisphere immigration. The Senate passed the amended House bill on September 22, 1965, by a substantial margin.

After some debate, much of it in closed sessions, the conference committee completed its actions by September 29 and the bill was signed into law on October 3, 1965. The preference system as enacted closely resembled that originally proposed by Congressman Feighan.

The complex sevenfold preference structure resembles the Feighan system of selective admissions but with some modification of the proportions, with a clear emphasis on the admission of relatives, and with comparatively small and noncumulative allocations to the two occupational preference classes. (Hutchinson 1981: 372.)

A complete description of the preference categories is contained in chart 1. Of importance for this analysis, brothers and sisters were allocated a fifth category preference of 24 percent of all visas, including visas unused in higher family reunification categories. Congress limited the total number of legal immigrants to 290,000.¹²

For some, the Immigration and Nationality Act amendments of 1965 crystalized a long-term trend toward family unification. "From the beginning of Federal regulation of immigration, Congress consistently followed a policy of facilitating the immigration of families as a unit and the reuniting of families whose members did not all immigrate at the same time." (Hutchinson 1981: 505.) The bill's enactment also represented a triumph over the racism of national origins. Higham (1984: 63) states that "By abandoning all national and racial preferences and by assigning an overriding pri-

¹² In 1965, The House subcommittee acknowledged that the demand for immigrant visas would always outstrip the legislatively permissible "supply." They noted:

The Committee, in considering the need for change is cognizant of the fact that there are far more people who would like to come to the United States than the United States can accept. It is the basic objective of this bill to choose fairly among the applicants for admission to this country without proposing any substantial change in the number of authorized immigration (sic.). The significance of immigration will depend less on the number than on the quality of immigrants." (U.S. House 1965: 13.)

It was, however, believed, that a 3-year transitional period, from 1965 to 1968, in which unused visas would be reallocated "will hasten to eliminate the waiting lists so that on July 1, 1968, it is anticipated that all individuals from each foreign state will be able to participate equally and fairly in the numbers then made available for immigration." (U.S. House 1965: 13.) Congressman Arch Moore, a key architect of the 1965 Act, commented on this provision:

What we are doing is relieving a pressure point of this vast building of intending immigrants in preference categories who have been waiting for years . . . and we are going to clean that up over the next 3 years, so that . . . we will be able to establish an orderly pattern of immigration on a first come, first served basis.

The Subcommittee recognized that this was one of the real pressure points for reform. It came from the long list of relatives from those already qualified and eligible, just sitting and waiting for a number to come up. (Congressional Record, H 20795.)

Senator Edward Kennedy made the following comments in introducing the immigration amendments to the Senate. He said, "this bill is not concerned with increasing immigration to this country, nor will it lower any of the high standards we apply in the selection of immigrants" (*Congressional Record, Senate* (September 17, 1965): 24225).

ority to family reunification, the new law lifted the shadow of racism from American immigration legislation."¹³

Others, however, have argued that the congressional conferees understood that their reforms would de facto retain most of the "benefits" of the national origins system. Such a view was expressed as early as 1965 by the *Wall Street Journal* (Stern 1975: 103n) and more recently by Briggs (1985: 140-141):

While overt national chauvinism was eliminated in 1965, under the new act family reunification became the dominant factor in preferences for immigrant admission. This might seem to be a humane feature, but motivation for the change was far less noble.

The change was made in the Judiciary Committee of the House of Representatives where some congressional supporters were more concerned with finding a way to covertly retain the older national origins system. Obviously, if certain groups had been excluded or had a low quota in the past they would have had fewer relatives who could use their presence to enter as new immigrants.

¹³ Hutchinson (1981: 377-378) provides one of the most lucid assessments of the 1965 amendments:

The 1965 Act was, obviously, a turning point in American immigration policy—a turning point, that is, in the system of selection of immigrants for admission. It brought to an end the selection of immigrants on the basis of their national origin, a basis of selection introduced by the 1924 Act and actually becoming effective at midyear of 1929. And along with national origins it did away with any selection, more often called discrimination, on the basis of race or ancestry. It did not do away with selectivity in admission, however; it only substituted new and less indivious criteria for admission. The new criteria were, first and principally, relationship to a citizen or lawfully resident alien; second and less heavily weighted, personal qualifications of ability and training; and finally chronological order of application for admission.

Other principal elements of the American immigration policy, however, remained largely unchanged. The 1965 Act was an amending act, and the 1952 Act remained the basic law governing immigration and naturalization, its structure little changed. There was little if any relaxation in the criteria for exclusion or the grounds for deportation of aliens, and the principle of numerical limitation or quota limits on immigration remained and was expanded to world coverage by the setting of a quota limit on Western Hemisphere immigration.

This points to the observation that the 1965 Act did more than replace certain disfavored features of the 1952 Act. It went further by adding several new components to the structure of immigration law and policy. The original administration proposals had contemplated merely doing away with the national origins and the Asia-Pacific triangle provisions and providing a more acceptable replacement. At the hand of Congress and its committees, however, several new elements were added, notably the ceiling on Western Hemisphere immigration and the labor certification requirement. Neither had been contemplated by the original designers of the bill, and the former if not both were opposed by the administration.

CHART 1.—KEY PROVISIONS OF IMMIGRATION LEGISLATION REGARDING THE ADMISSION OF BROTHERS AND SISTERS

Immigration Act of 1924	Immigration and Nationality Act of 1952	Immigration and Nationality Act Amendments of 1965
Preference system		
Two quota preferences: 1. For husbands and parents of citizens and skilled farmers; 50 percent. 2. Wives and unmarried minor children resident aliens, 50 percent.	Four preference categories: 1. Skilled workers; 50 percent. 2. Parents; 30 percent. 3. Spouse/children of aliens; 20 percent.	Seven preference categories for Eastern Hemisphere: 1. Unmarried sons/daughters of citizens; 20 percent. 2. Spouses, unmarried children of aliens; 20 percent (26 percent in 1980). 3. Professionals; 10 percent. 4. Married children of citizens; 10 percent. 6. Skilled and unskilled workers; 10 percent. 7. Refugees; 6 percent (0 percent by Refuge Act of 1980).
Brothers and sisters		
No provision except through nonpreference quota numbers.	4th preference of 25 percent of unused quota numbers from first 3 preferences, for siblings and sons and daughters of citizens. (Increased to 50 percent in 1959).	5th preference of 24 percent of visas for all brothers and sisters; plus unused in prior 4 categories; restricted to citizens at least 21 years of age or over by Immigration and Nationality Act Amendments of 1976; also, preference system applied to Western Hemisphere in 1976.
Immediate relatives		
Nonquota preferences for wives and minor children accompanying quota immigrants; natives of Western Hemisphere.	Spouses and children of citizens; Western Hemisphere exempted.	Spouses and children of citizens and parents of adult citizens.

Sources: SCIRP 1981a: 424-425; Hutchinson 1981: 512; Staff Report 1979: 58-59.

If there was such an intent, Congress was notably inept in its efforts to sustain immigration from northern and western Europe for within a few years of passage the 1965 Act had created a significant shift in the direction of immigration towards Asian and Latin American countries.¹⁴ That is, Congress passed a bill whose effects

¹⁴ Legislative and policy analysts have had little success in predicting the quantitative or demographic consequences of immigration reforms. For example, when Congress in 1965 exempted immediate family members, such as spouses and parents, from numerical limits they predicted that only 40,000 to 50,000 people would take advantage of the exemption. However, "these family exemptions soon began to run larger than predicted, and in the 10 years after the law went into effect averaged about 90,000 annually, instead of projections of about half that number. They ran over 125,000 in 1978, and approximately 138,000 in 1979. (Reimers 1985: 81.)

Congress also did not foresee how the 1965 Act would work, especially in the case of Asian nations. The House Select Committee on Population noted in 1978, for example, that "the effects of a worldwide ceiling is unknown. Since the Western Hemisphere is presently assigned fewer immigrant visas than the Eastern Hemisphere, it could be argued that a single worldwide ceiling would result in increased immigration by persons of Western Hemisphere origin, but there is no clear indication as to which hemisphere would benefit." (U.S. House Select Committee on Population 1978: 52.) In fact, Asian or Eastern immigration increased by about 40 percent between 1965 and the end of the 1970's. (Reimers 1985: 243; SCIRP 1981b: 333-336.)

Again, in 1965, Congress expected that a 3-year transition period, up to July 1, 1968, would be sufficient to substantially eliminate existing backlogs of applicants. The U.S. House Committee on the Judiciary, in its August 1965 report, stated:

Continued

did not correspond to the 1952 Act whatever their "covert" intentions. It is far simpler, and far more faithful to the record of congressional concerns, to believe that a genuine desire to abolish national origins was linked to a system of preferences whose design and operation were never subject to careful investigation. This partial effort at immigration reform, nevertheless, achieved most of what its administration and congressional supporters wanted.

The 1965 amendments represented neither comprehensive nor radical reform of U.S. immigration policy. Family reunification and labor preferences remained the core pillars of immigrant selectivity, with virtually no increase in the numbers of visas made available. Congress reluctantly agreed to consider extending preferences to Western Hemisphere countries, but only after overcoming considerable opposition.

One of the notable shifts in immigration policy was in the treatment of siblings. In 1952, siblings were a fourth place residual category allocated 25, and then 50, percent of any unused visas. In 1965 siblings got a mandatory 24 percent of visas in fifth place. The relative placement or priority of sibling admissions remained low—at the bottom of family reunification selection factors—but changed from being conditional to mandatory.

Within just a few years of passage, the 1965 amendments became the subject of substantial criticism and efforts at legislative improvement. In 1968, for example, one of the early administration lobbyists for immigration reform characterized the 1965 bill as one which "established an immigration system whose parochial framework stands in sharp contrast to the more flexible and internationally oriented provisions of the proposal recommended so strongly by President Kennedy." (Schwartz 1968: 125; Kennedy 1966: 144.) Schwartz (1968: 129) went on to add that:

Many individuals, including myself, who worked for the passage of the Act of 1965, were highly skeptical of the preference system whose outline, in the main, was traceable to Representative Feighan and the general willingness of the administration to acquiesce in his views.

In particular, early critics noted that there would be relatively few visas available for labor and non-preference categories. Backlogs of

The existing quota system will be abolished on July 1, 1968. In the interim the immigration numbers authorized under the existing quota system which are unused at the end of each fiscal year will be reallocated from a pool of the unused numbers for the issuance of visas to preference immigrants from countries which have oversubscribed quotas and long preference waiting lists. During the interim, this procedure will not affect the flow of immigration from large quota countries and at the same time will hasten to eliminate the waiting lists so that on July 1, 1968, it is anticipated that all individuals from each foreign state will be able to participate equally and fairly in the numbers then made available for immigration. This procedure is intended to provide a smooth and orderly transition from the old system to the new. (SCIRP 1981b: 329-330.)

This position appears to be based on testimony in 1965 by former Attorney General Nicholas Katzenbach. When asked about the prospects for eliminating backlogs of applicants Katzenbach stated:

I think at the end of 5 years we will have reduced to approximately zero—and again I am talking estimates, but I think we will have reduced all of those who presently have a claim upon the United States for immigration one way or another, and we will then be dealing with strangers. Not the people who have presently signed on the rolls, and so forth, but dealing with strangers. We will deal with them on a first come, first served basis within the quota preferences. (U.S. House Committee on the Judiciary 1965: 56.)

Others have similarly described Congress' intent in eliminating backlogs in 1965. (Benn 1965: 107.)

siblings were indeed an early hallmark of the 1965 reforms. Schwartz (1968: 130), for example, noted that there were backlogs of applications for third and sixth preferences as well as a backlog of nearly 200,000 applications in fifth preference as of June 1968. He went on to state (Schwartz 1968: 131):

Obviously the distribution of the preference system was a haphazard determination which will plague the administrators of the system and the Congress with backlogs and problems until a remedy is found. It is also obvious that the priorities of preference are arguable.

By 1976, Congress acted to limit the admission of brothers and sisters by restricting the provisions to those at least 21 years of age or older. The preference system was also extended to cover the Western Hemisphere thereby requiring all immigrants to qualify in one of the seven preference categories. In October 1978, Congress merged the separate hemisphere numerical limitations into a single, worldwide limit on immigration. Perhaps, most importantly, they established a Select Commission on Immigration and Refugee Policy which made the most important analyses and recommendations for legislative reform since enactment of the 1965 amendments.

THE SELECT COMMISSION UP TO THE PRESENT

The amendments of 1978 created a Select Commission on Immigration and Refugee Policy whose purpose was "to help pave the way for future development in immigration and refugee law in order to meet the specific needs of our time and of the time to come" (SCIRP 1981b: 349). Congress turned, once again, to a commission to facilitate the research and policy analysis necessary for a comprehensive review of issues, including changes in the system of numerical limitations and exemptions. (SCIRP 1981b: 349, 355; Fuchs 1983.)

The Commission operated with several core assumptions which were crucial in focusing its research and final recommendations. The first operating principle was that some form of restriction on immigration was essential. As the staff report stated (SCIRP 1981b: 350):

Demand to immigrate to the United States is so great that it would not be in the national interest to admit all who wish to come. Therefore, some method of determining which groups or categories of immigrants are in our best national interest is necessary.

Indeed, the Commission only considered modest increases in the overall number of immigrants to be admitted. (SCIRP 1981b: 102.)

A second operating principle was that it was both possible and necessary to create a more effective system for selecting immigrants. The Commission staff reports notes that they believed:

It is possible to develop a system for admitting immigrants which could alleviate many of the problems of the current system, serve clear goals, be more equitable and

perhaps be more easily understood and administered. (SCIRP 1981b: 355.)

Although the Commission requested research papers on a variety of topics, none specifically evaluated the existing or alternative (e.g., Canadian) preference systems. Rather, testimony was utilized as a primary basis for assessing how well, or poorly, the existing or alternative system of preferences might operate. The Select Commission also does not appear to have seriously researched or inquired into what definition of "family" functioning might be useful in determining criteria for family unification. (SCIRP 1981c: 278-293; SCIRP 1981b: 47-54.) For example, no analyst of the sociological characteristics and functioning of "American" or ethnic-American families was asked to testify. (Schulz 1972; Seward 1978; Macklin and Rubin 1983.) The Select Commission had, then, as one of its basic operating assumptions the given of family reunification, without any precise specification of how close, far, or "naturally" the net of family ties should be extended. The Commission assumed, therefore, that:

The reunification of families should remain one of the foremost goals of immigration not only because it is a humane policy, but because bringing families back together contributes to the economic and social welfare of the United States. Society benefits from the reunification of immediate families, especially because family unity promotes the stability, health and productivity of family members. (SCIRP 1981b: 357.)

The Commission did, however, add the important caveat that it was more important "to reunify close family members than those that are less closely related to a U.S. sponsor." (SCIRP 1981b: 359.)

One of the issues which had attracted the attention of immigration reformers was the growing backlog of applicants in fifth, and other, preference categories. In 1979, in Interagency Task Force on Immigration Policy noted (Staff Report 1979: 208):

... the demand to enter in the second and fifth preferences has increased and backlogs have grown in such areas as China, India, Korea, the Philippines and Mexico. As a result of this phenomenon, especially as it relates to the unlimited category of immediate relatives, overall immigration has increased by close to 100,000 per year, and this trend can be expected to accelerate as greater numbers of immigrants arrive, naturalize, and repeat the cycle.

The Task Force drew the clear connection between such growing backlogs and the emerging political concern over illegal immigration in one of its major conclusions (Staff Report 1979: 2):

Present demand far outruns the availability of immigration visas causing lengthy waiting lists in immigrant sending nations. Future conditions can be expected to increase the number of aspiring immigrants until at least the end of the century, placing added pressure on the United States to raise its immigration ceilings or tolerate increased levels of illegal immigration.

Illegal immigration was linked to immigrant backlogs with growing popular and political concern over stemming the flow of undocumented aliens seeking American jobs.

In testimony before the Select Committee on Population in 1978, a number of experts argued that the only goals of U.S. immigration policy should be to reunite families and to provide asylum for political refugees. They believed that skilled workers should not be given any preference under the law because they compete directly against skilled American workers. They argued that the admission of skilled foreign workers weakened "the incentive for training Americans, especially minority citizens, for these important occupations." (U.S. House Select Committee on Population 1978: 53.) Family unity was, therefore, seen as a paramount goal for U.S. immigration policy.

Amplifying this point, Charles Keely (SCIRP 1981d: 48) testified briefly before the Select Commission in 1980 that:

We, as a nation, cannot only accept, but are enriched in countless ways, by traditions which honor the family and stress close ties not only within the nuclear family of spouses and children but also among generations and among brothers and sisters. Attacks on family reunification beyond the immediate family as a form of nepotism are empty posturing.

Ethnic interest groups lent additional support for the continued top priority of family unification including the reunification of siblings.¹⁵

The Select Commission soon acknowledged that the existing system of preferences, based on the 1965 Act, contained goals which were "frequently frustrated by the restrictive criteria applied or through the interaction of specific provisions with patterns of demand." (SCIRP 1981a: 87.) Acknowledging the palpable limitations of the preference system, and the need to accommodate families, the Select Commission made a series of interrelated recommendations which constituted the basis for legislative proposals for the reform of the system of immigrant visa preferences.

The Commission recommended separate priorities or tracks for family reunification and for "independent" or labor-related immigrants, with a total of 350,000 visas recommended for families and independent or "new seed" immigration. (SCIRP 1981b: 14-16; 108-

¹⁵ Proposals to reduce or eliminate the backlogs by lowering the preference proportion for brothers and sisters have generally encountered considerable criticism. In an address in 1978 before the American Committee on Italian Migration for example, Senator Dennis DeConcini, a SCIRP commissioner, said:

Proposals have been offered to eliminate the 5th preference. It is felt by some to be too generous, as it refers to a horizontal rather than a vertical family concept . . . But to deny that brothers and sisters are an integral part of the family is to impose upon many ethnic groups a narrow concept of family and one that especially discriminates against the Italian-Americans. We also should stress the rights of U.S. citizens by allowing them to bring their families to America. This view should precede the technical notion that we need certain types of specialists and skilled workers (reported in American Committee on Italian Migration, *Immigration Update National Symposium*, New York, 1980).

It is useful to note that because of the country limits on visas (20,000 annually) that waiting lists soon developed for countries of peak demand. As of 1975, all preference categories for Eastern Hemisphere countries were current. However, as visa demand grew, several preferences became oversubscribed or backlogged. Nonpreference visas, for example, have been unavailable since 1978. Fifth and sixth preference have not been current since 1979 and second and third have been oversubscribed since 1982.

128; SCIRP 1981b: 426-433.) Precise percentage allocations for these two tracks were to be determined under a new, more flexible system of administration. The Commission rejected the option of eliminating all percentage allocations or allowing visas to be allocated to the highest preference categories before issuing any visas in lower percentage categories such as for siblings. (SCIRP 1981a: 125-126; Keely 1981: 339.)

The final recommendations of the Select Commission reflect areas of agreement and divergence when they address the question of visas for brothers and sisters (SCIRP 1981a: 119).

The commission endorses the policy of continuing to include a preference for brothers and sisters of adult U.S. citizens, one of the most difficult issues faced by the Commission, but is divided on whether both married and unmarried siblings should be included within the numerical limitations. Although a majority of Commissioners had chosen to continue this policy for all siblings of adult U.S. citizens, regardless of marital status, a large minority favored extending a preference in family reunification category only to the unmarried brothers and sisters of adult U.S. citizens.

The majority of the Commission members, in recommending the inclusion of all brothers and sisters of adult U.S. citizens, concludes that continuing this tradition promotes the national interest as it recognizes the closeness of the sibling relationship and the broader concept of family held by many nationalities. Those Commissioners who favor the inclusion of only unmarried siblings have made their choice on the basis of the large, unmet demand in higher family reunification preferences where the need for reunification is greater, the large and rapidly growing demand within the current fifth preference, and the fact that the immigration chain created by the spouses of married siblings (who naturalize and then petition for their parents and their own married siblings) results in exponential growth in visa demand.

The Commission staff were, however, firmly opposed to a preference provision for siblings and reported their views in the staff report.¹⁶ Chart 2 reflects many of the preference system recom-

¹⁶ The staff of the Select Commission did not initially agree with the recommendations of the Commissioners. They stated:

The staff believe it was undesirable to include a category with the potential for enormous, unmanageable backlogs when there was little hope of issuing visas to applicants in it. Although the staff recognized the close relationship often shared by siblings, this need was not generally believed to be as compelling as that of reuniting husbands, wives, sons and daughters. Further, the staff found that the inclusion of a preference for all brothers and sisters of adult U.S. citizens creates exponential visa demand. Married siblings—which account for about half of those entering—bring spouses who, upon naturalization, can then petition to bring their parents and siblings, along with their families. And so the chain continues. This growth has been expedited by the rapid rates of naturalization among immigrants from countries sending the largest number of brothers and sisters. The result of this spiraling pattern is an ever-increasing demand to immigrate which is totally disproportionate to the number of visas available. The staff did not believe it was wise to continue a preference which inevitable takes visas from some immediate relatives, thus not only perpetuating

Continued

mendations of the Select Commission in comparison with 1965 Act provisions.

Although the Commissioners did not propose specific percentages for the new family preference categories, the Select Commission staff report recommended that 70 percent be allocated to spouses and unmarried minor children of aliens and roughly 13.5 percent for the backlog of brothers and sisters of adult citizens. (SCIRP 1981b: 390-391; 434.)

This system of allocation, however, drew sharp criticism from Commissioner Holtzman. She was highly critical of a staff proposal to allocate a high proportion of visas to independent immigrants. (SCIRP 1981a: 364-365; SCIRP 1981b: 425.) Senator Alan Simpson was also concerned about continuing to allow immediate relatives to be admitted outside the system of numerical limits. He also preferred to allocate family preferences to close family members with no allocation to fifth preference (SCIRP 1981a: 415-417).

Utilizing the Select Commission's report as a guide, the Senate Subcommittee on Immigration and Refugee Policy held 22 hearings beginning in July 1981 on immigration reform leading to the introduction of the Immigration Reform and Control Act of 1982. (U.S. Senate Committee on the Judiciary 1983.) There were specific hearings devoted to several topics which had only been minimally addressed by the Select Commission including hearings in November 1981 on the preference system and in January 1982 on numerical limits to immigration. (U.S. Senate Committee on the Judiciary 1982a and 1982b; Simpson 1984; Miller 1985: 55-60.)

family instability but sometimes creating a desperate pressure for illegal migration. (SCIRP 1981b: 362-363.)

The staff eventually acknowledged that there was a problem in eliminating all visas for siblings and recommended that only unmarried brothers and sisters should be considered "as a step toward its eventual elimination." (SCIRP 1981b: 386.)

CHART 2.—COMPARISON OF CURRENT VISA PREFERENCE SYSTEM, SELECT COMMISSION PROPOSAL, AND 1982 IMMIGRATION REFORM PROPOSAL

	Current system (1965 amendments)	SCIRP proposal	Immigration Reform and Control Act of 1982 (proposed)
1. Family reunification	Family reunification preferences, combined with occupational preference	Separate category I for family reunification	Separate category for family reunification (overall ceiling for preference immigrants and immediate relatives).
A. Immediate relatives of U.S. citizens	Spouses Minor unmarried sons and daughters Parents of adult citizens	Spouses Minor unmarried sons and daughters Parents of adult citizens Grandparents of adult citizens	
B. Other close relatives	1st preference; 20 percent 2d preference; 26 percent 4th preference; 10 percent 5th preference; 24 percent	Adult unmarried sons and daughters Spouses, minor unmarried sons and daughters of legal permanent residents Married sons and daughters of citizens Brothers and sisters of adult citizens Certain parents (over age 60) of permanent resident aliens	Unmarried adult sons and daughters of citizens, 15 percent Spouses and minor unmarried sons and daughters of legal permanent residents: 65 percent Married sons and daughters of citizens: 10 percent Brothers and sisters (backlog only): 10 percent
2. Independent immigration	Occupational preferences combined with family reunification preferences	Separate category II for independent immigrants	Separate independent category.
A. Special qualifications	3d preference; 10 percent Investors qualified under nonpreference, when available	Immigrants of exceptional merit Investors	Immigrants of exceptional ability: up to ceiling. Skilled workers (6th); unused. Investors; 10 percent.
B. Other independent	3d, 6th and nonpreference; 10 percent	Other independent immigrants	Nonpreference; unused.

Note: Refugees covered by the Refugee Act of 1980.

One of the major characteristics of the testimony at these hearings were references to the need to control *illegal* immigration as a prerequisite to improvements in the system for selecting *legal* immigrants. Also, issues which had been resolved, or ignored, by the Select Commission were given prominence and careful analysis. The following is a brief overview of the testimony at these hearings with a particular focus on fifth preference considerations.

At the November 1981 hearings, Senator Alan Simpson indicated that while he strongly supported family reunification, "family preference categories," he stated, "should be based on the U.S. concept and definition of a nuclear family and not on the definition of such a family as expressed in other nations." (U.S. Senate Committee on the Judiciary 1981a: 19; 162.) Emphasis was also to be given to labor requirements and a system for selecting workers with needed skills.

Backlogged petitions in a number of preference categories, including fifth preference, were seen as a matter of concern to certain witnesses, including representatives of the League of United Latin American Citizens. They argued that any "discussion to eliminate the fifth preference at this time is not a viable consideration. We would be interested in discussing it in the context of assessing perhaps giving it a lower preference designation in view of the success of the legalization program." (Ibid; 144.) The Mexican American Legal Defense Fund also strongly supported family preferences and the retention of fifth preference stating that "the idea that married siblings are somehow less close and less important to the family unit is a concept which is unproved and not founded on any rational research or study." (Ibid; 154.) The U.S.-Asia Institute repeated this concern arguing that "Asians consider brothers and sisters to be an integral part of the nuclear family . . . Asians think of the extended family as being just as important and as close to them as Americans think of the nuclear family in the dictionary sense." (Ibid., 160.) The American Committee on Italian Migration's opinion was that family reunion "is a basic human right of any American citizen to have his family members with him in the United States." (Ibid., 170.) They agreed, however, that siblings, in fifth preference, were a lesser priority and even substantial backlogs could be "tolerated." (Ibid., 170.) However, they were strongly opposed to eliminating the preference:

For Italians and for many other ethnic groups, brothers and sisters, whether or not they are married, are an integral part of the family reunion concept. Elimination of this preference category would violate a sacrosanct human right of an American citizen to live with his family according to his own traditional life style. (Ibid., 170.)

Most of the representatives of ethnic organizations seemed willing to live with long waiting times since "living with a backlog is certainly better than living with no prospect of immigration at all." (Ibid., 173.) Indeed, without offering any evidence, it was stated that "after one or two years of waiting on the lists, the number of applicants who will maintain their interest in migrating when their turn is reached will be found to have diminished very substantially." (Ibid., 173.)

Administration witnesses testified that they would not accept the recommendations of the Select Commission on the existing system of numerical limitations or on the immigrant preference selection system. In particular, the administration rejected the option of putting a ceiling on all immigrant admissions and found "that the existing laws relating to the overall number of immigrants who can be admitted each year and the system under which immigrants and refugees are admitted are sensible and workable and should not be changed." (U.S. Senate Committee on the Judiciary 1982a: 17.)

The last subject to be addressed at the hearings on the preference system was the extent to which there is an immigration "multiplier" operating in conjunction with the fifth preference that results in a chain of immigrants following the initial applicant, including "that immigrants' sister-in-law, brother-in-law, uncles, cousins, et cetera, through the chain of fifth preference in combination with other preferences." (U.S. Senate Committee on the Judiciary 1982a: 210.) No actual calculation of an immigration multiplier was, however, presented. It was noted at the time that "unfortunately good data do not exist which allow comparisons of immigrants admitted under all of the different preference categories." (U.S. Senate Committee on the Judiciary 1982a: 214.)¹⁷

In January 1982, additional hearings were held by the Senate Subcommittee on Immigration and Refugee Policy on numerical limits on immigration to the United States with witnesses addressing the utility and criteria for numerical limits. Administration witnesses again opposed putting any limit on the prompt reunification of immediate family members or an overall cap on all immigration. At the same time, Senator Simpson repeated his concern about fifth preference:

¹⁷Concern about chain migration through an immigration multiplier has been expressed more politically by Colorado Governor Richard Lamm (Lamm and Imhoff 1986: 192-193):

Chain migration works this way: a recent immigrant to the United States who has permanent resident alien status can apply for the immigration of his wife, his minor children, and his parents, and—this is the important fact for chain migration—if he has received citizenship he can also apply for the immigration of his adult brothers and sisters under the fifth preference category. His brothers and sisters can, in turn, apply for the migration of their spouses and minor children. When his wife arrives in the United States and receives citizenship, she can apply for the migration of her parents and her brothers and sisters. Her brothers and sisters can then apply for the migration of their spouses and minor children. As so and so on. The chain is unending.

We now give migration preference to close relatives of U.S. citizens and permanent resident aliens for humanitarian reasons. We do not believe that families should necessarily be divided by migration. But I think that the humanitarian desire to keep families together should apply only to immediate, nuclear families. There is no compelling reason to extend the chains and to give preference to adult brothers and sisters.

Advocates of the fifth preference argue that the nuclear family is a "culture-bound" definition of close family ties. They argue that in other cultures family ties are much closer, so a much wider family circle should be considered as the close family; therefore, when considering where family ties can be humanitarily severed, we should adopt the much wider definition that the migrants themselves may have. In fact, many say our family definition is even now much too restrictive. In many other cultures people whom we would consider distant cousins should probably be given preference.

This is simply not a compelling argument, and it strains the bounds of generosity unnecessarily. While humanitarian motives may compel us to offer preference to a migrant's close family members, there is no humanitarian reason that someone who moves to this country to better himself should not have to make any sacrifices, or why a migrant should never have to live at some distance from any members of his extended family. The best way to cut long waiting lists within preference categories is to cut the long links of chain migration, and the best way to do that is to limit immigration preferences to the people who form the basic family unit in America. The fifth preference should be eliminated.

I have continually indicated an emphasis on family reunification, but I believe that we should give preference to immediate family members only. I do not believe that in the United States, adult brothers and sisters, particularly those who are married are considered part of the nuclear family unit (U.S. Senate Committee on the Judiciary 1982b: 134).

In June of 1982 the Senate Committee on the Judiciary reported out S. 2222, the Immigration Reform and Control Act of 1982. The bill eliminated the exemption for immediate relatives and incorporated the Select Commission recommendation that there be two general categories, or tracks, of immigration; one for family and the other for "independent" immigrants. The bill also contained a provision which eliminated the fifth preference, with 10 percent of visas allocated for the elimination of the existing fifth preference backlog. (See chart 2.)

The family preference categories will not include what is now referred to as the 5th preference, that is the brothers and sisters of adult U.S. citizens. This is done in order to reserve for the closer relatives, the limited visas available for family reunification and to allow an increase in immigration opportunities for those who have no close relatives in the United States but do have skills which will benefit the American people as a whole.

The events, decisions, and final passage of parts of this legislation are discussed elsewhere (Cornelius and Montoya 1983; Simpson 1984; Miller 1985; Keely 1983; Maingot 1983; Greenwood and McDowell 1985; Fuchs 1983; Vialet 1986; Pear 1986a: A18; Pear 1986b: A17; Thornton 1986a; Spevacek 1986: 5A).¹⁸ No action was taken on the legal immigration component of this legislation, with Congress focusing its attention primarily on questions of illegal immigration, employer sanctions, and legalization.

In July 1986, the House Subcommittee on Immigration, Refugees, and International Law held the first of a series of hearings on legal immigration with a focus on preference system reforms. Also, in August 1986 Senator Edward Kennedy introduced legislation aimed at increasing the number of independent and "old seed" immigrants. This bill, according to Senator Kennedy (1986), was:

... designed to reform our existing system of admitting immigrants to make it more flexible and generous, and to open it up to a larger number of independent immigrants who do not have family ties in the United States. This result can be achieved without curtailing the traditional priority we give for family reunification, and without departing from the principles established in the 1965 reforms.

The bill proposed allocating 216,000 visas for family reunification and 84,000 for independents. Unmarried adult siblings would continue to qualify for fifth preference visas as would all siblings in

¹⁸ An amendment proposed by Senator Edward Kennedy restoring a preference for unmarried brothers and sisters was adopted by the Senate before the bill's failure to pass the House.

the backlog. However, fifth preference would receive only 10 percent of all family reunification visas. No action was taken on the bill during the final weeks of the 99th Congress.

The legislative reforms of 1965 while succeeding in eliminating the national origins system have in turn generated substantial criticism and concern over how many of what types of immigrants should be admitted into the United States. Siblings were allocated nearly one-quarter of all visas while necessary labor received only 20 percent, with no clear record of why these choices were made. Although many wanted more rather than fewer labor visas, within a less detailed and restrictive system, congressional constraints made it necessary to accept what was understood at the time as an imperfect bill. Even with a substantial Democratic majority in the House, the President accepted a bill quite different from the one he had proposed apparently expecting that the faults of the amendments could be speedily and readily rectified.

Since 1965 a modest level of congressional attention has been focused on both minor improvements as well as major legislative overhaul. As of 1986, however, no compelling legislative formulation seems assured of speedy enactment. There is, nonetheless, a reasonable level of agreement that there should be greater emphasis on labor and new seed considerations with a concomitant deemphasis on family reunification. Such considerations will undoubtedly receive increased attention as a new wave of numerically unrestricted immigrants is admitted and naturalized under the legalization provisions of the Immigration Reform and Control Act of 1986. Initially there will be pressure to address the status of derivate spouses and family members of legalized principals followed, soon after, by concern over the impact of 2 to 5 million newly legalized aliens and citizens upon the preference system.

III. IMMIGRATION DATA: CHARACTERISTICS AND LIMITATIONS

In 1985 a report of the National Research Council noted that:

Immigration for some reason is the Cinderella of the federal statistical system. In essence a history of neglect has afflicted record-keeping concerning one of the most fundamental processes underlying the development of American society: the arrival and integration of new population into contemporary American social and economic structures. (Levine, Hill and Warren 1985: 3; Kraly 1979.)

This study found that the Immigration and Naturalization Service (INS) was particularly indifferent to the need for high-quality statistics.¹⁹ INS, for example, has had considerable difficulty estimating those who have emigrated from the United States, the characteristics of those who sponsor, or petition, for aliens, the location of resident aliens, and the extent to which temporary nonimmigrants, such as students, are living in the United States with the expecta-

¹⁹ The limitations of INS and State Department data on immigrant visa applicants and admissions have been noted for over a decade (See Staff Report 1979: 212-216). The latter, for example, states: "nationally available data on international migration are collected as a by-product of routine operations rather than to provide the basis for policy evaluation or formulation or for social science research." (Ibid., p. 214; See also, Tomasi and Keely 1975.)

tion that they will be petitioned for resident alien status.²⁰ There is also considerable difficulty in describing the characteristics of aliens who elect or fail to naturalize. Both the level of naturalization and sponsorship are, for example, key components in calculating the probable rates of chain migration resulting from an initial admission.

INS made a number of efforts to improve the quality and coverage of immigration statistics both prior to and following the release of the National Research Council report (Nahan 1985; Nahan 1986). Indeed, the Council noted that:

The great expansion of automated data processing at INS in the past few years provides the opportunity for a rapid improvement in its statistical capabilities in meeting both its own information needs and the demands for data by external users. (Levine, Hill and Warren 1985: 37.)

INS data are available both in published form from an annual statistical yearbook and as a public-use sample on immigrants admitted for permanent residence. Information is available, for example, on the following variables: month and year of admission, class of admission (e.g., numerically restricted, exempt from restriction), country of birth, age, sex, class and year of entry (for persons adjusting status), country of last permanent residence, State of intended residence, and nationality.

The Statistical Analysis Branch at INS provided special tabulations of data on immigrant admissions for this analysis. It is important to note that INS data for 1979 contain a relatively large number of erroneous, duplicate, files; automated files containing duplicate A numbers. The duplication mainly involves adjustments rather than new arrivals.²¹

The Bureau of Consular Affairs at the Department of State also gathers much useful data as part of its administrative processing of immigrant visas. Its data are processed primarily for internal use, but are published or made available to interested parties.

It has been possible to obtain two types of information from Consular Affairs in addition to their periodic reports.²² The first are data on the number of active and inactive visa applications for all countries by preference category for the period 1980 to 1986. These data indicate the size and geographic concentration of applicants

²⁰ "As important as the refugee flow is to increasing immigration, emigration is to reducing it. Unfortunately, the extent to which immigrants (and U.S. citizens) depart is a virtually unknown factor in the total equation. INS discontinued collecting emigration data in 1957 because they were incomplete and unreliable." (Staff Report 1979: 211.) These difficulties apparently have been seen as less pressing than the need for data on the number and characteristics of illegal immigration.

²¹ Information concerning the duplicate files was uncovered by the Statistical Analysis Branch at INS after completion of the special tabulations for this paper. Due to limitations on time, it was not possible to obtain recalculations of all data for 1979. The reader should, therefore, be aware that numbers of new admissions for 1979 probably contain 5 percent duplication and figures for adjustments contain 35 percent duplication.

²² The Bureau of Consular Affairs issues a number of periodic reports which described the number and preference categories of immigrants. In particular see the annual *Report of the Visa Office*, Bureau of Consular Affairs, U.S. Department of State. Washington, D.C.: GPO; "Worldwide Visa Services During 1985" Volume 83, Visa Office, Bureau of Consular Affairs; and the monthly report, "Immigrant Numbers for September 1986," Volume 5, No. 92. Visa Office, Bureau of Consular Affairs. The operation of the Immigrant visa system is described in "The Operation of the Immigrant Numerical Control System," Visa Office, U.S. Department of State. (See also Staff Report 1979: 12-14; U.S. Senate Committee on the Judiciary 1980: 445-450.)

waiting for a quota number. Inactive visa petitions represent applicants who were contacted by Consular Posts and who failed to respond to the request for information (in "Packet 3") within 12 months.²³ Because the cut-off dates for several oversubscribed visa categories may be several years away, packets are on average only mailed to applicants with registration dates which promise action on the visa application within a reasonable period of time. First preference is current for virtually all countries while in fifth preference only applicants with registration dates in 1982 or earlier may be sent packets. For certain high demand countries, such as the Philippines and Hong Kong, the registry dates used in fifth preference are in 1976. Thus rates of inactivity are incomplete estimates of the number of applicants likely to delay or refuse their visa petitions. Since inactive petitions can be reactivated at any time, however, it is incorrect to identify inactive applications with complete applicant refusals, although there is undoubtedly a degree of overlap. The Visa Office states that few such cases are likely to be reactivated, however, and have established the inactive category so that the active count is not "unrealistically inflated."

Data have also been gathered from automated visa files operated at a select number of Consular Posts. In fiscal year 1986, twenty-four consular posts (out of a total of 160), handling 67 percent of visa issuances, have fully automated all visa applications. The automated system for Consular Affairs, the Immigrant Visa Automated Control System (IVACS), provides information on a limited number of demographic variables from either their case status or applicant status files. Data were requested from three of the posts with the largest fifth preference visa backlogs, including Mexico City, Manila, and Seoul. The data items requested included information on the date of birth, sex, and in some instances, on marital status of applicants.

There are a number of limitations of these data which need to be kept in mind when examining data on applicants. Information on the number of children in a household and their dates of birth, for example, is not recorded on an up-to-date basis since the primary source of data on visa applicants is the original sponsor's petition. This petition only contains information as of the date of application which may have been 10 to 12 years earlier. Applicants may have married, divorced, had children, or died in the interim, with no statutory basis for purging incorrect data from IVACS until the applicant appears for a consular interview following the receipt of Packet 3. An additional limitation of Consular Affairs data is that information on the preference basis of the original petition, such as fifth preference, is recorded on a separate file from the data on the

²³ Inactive applications are defined in the *Foreign Affairs Manual* (vol. 9, 22, FR 42.61, January 3, 1984; Visa TL-1043) as:

- (a) applicants who were furnished Packet 3 but have not responded within 1 year;
- (b) those who at some point established entitlement to status but who subsequently lost entitlement (but not priority date) for any reason (e.g., change in law or regulation, termination or relationship or expiration of labor certification), and have not reestablished a basis for status;
- (c) applicants who have failed to apply for an immigrant visa on the scheduled appointment date and who have not otherwise responded to the appointment notification. (Retain in the "inactive" group up to 1 year only.)
- (d) applicants who have been formally interviewed and refused a visa under section 221(g) of the Act. (Retain in the "inactive" group up to 1 year only.)

demographic characteristics of the household, requiring special programming instructions to link the two files. Also, many posts have only a limited ability in terms of staffing to process requests for data outside of routine reports submitted to the Bureau of Consular Affairs in Washington. No information is available on the amount of incorrect information supplied by the petitioner on the initial application. (See Appendix A.)

Information on the demographic characteristic of applicants in the backlog is of major importance in estimating the potential size of the immigrant population by country of birth or chargeability. The available data from the three countries will, however, only suggest some of the parameters of information for use in calculating growth rates for the entire backlog for all countries. It is reasonable to anticipate a substantial level of variability among countries in such demographic characteristics.

Despite recent agency and interagency efforts to improve the data handling capabilities at INS and the Visa Office, there are still substantial shortcomings in the ability of the two agencies to gather and report all of the data needed to monitor and assess immigrant and non-immigrant admissions. Most of these shortcomings were well described by the National Research Council in their 1985 Report, including the recommendation that Congress exert its own leadership to ensure that executive branch agencies have the necessary encouragement and resources. Both Congress and the executive branch have tended to emphasize the operational obligations of immigration control with too little concern with gathering reliable, accurate, and timely information to understand how well, or poorly, these missions are being carried out. Political pressure for more effective border control procedures have generally won out over data needs.

Such prioritization will in the medium term, cripple the policy and planning analyses necessary for cost effective enforcement practices and judgments. Any independent immigration review board or advisory panel assigned the responsibility of monitoring legal immigration, and legalization, will operate blindly—one arm tied tightly behind its back—if data gathering forms and procedures are not established to capture the process of immigrant admissions, sponsorship, emigration, and naturalization.

Perfect information and information systems are of course not necessary to correct egregious legislative and policy abuses, but more and better quality data are clearly needed to allow Congress and the executive branch to conduct its oversight and planning functions at a level of moderate efficiency. Knowing what types of households are applying for and are admitted into the United States, how long they remain, the probabilities of emigration and sponsorship, and where they live are basic—not academic—requirements for effective Congressional monitoring and administrative planning. These requirements, however, merely address the front-end of immigration, providing descriptive information on quantities of legal immigration. They do not address the more complex and sensitive issues of the quality, social costs, and economic contributions of immigrants. Such issues appear likely to remain the domain of private researchers and foundations with an occasional assist from INS extramural funding.

IV. LEGAL IMMIGRATION INTO THE UNITED STATES: THE ADMISSION OF BROTHERS AND SISTERS

The purpose of this and the following sections is to offer previously unavailable demographic data on the number and characteristics of fifth preference admissions and backlogs. This information, partially updating material reported by the Select Commission on Immigration and Refugee Policy, will indicate where there are similarities and differences among countries as well as indicate data needed to project future fifth preference visa demand. A final objective of this analysis is to describe some of the demographic measures needed to calculate the immigration multiplier.

The enactment of the 1965 amendments to the Immigration and Naturalization Act created notable changes in the country of origin of immigrants into the United States. The countries that contributed the largest number of immigrants in the period before 1960, for example, were Germany, Italy, Canada, Mexico, and the United Kingdom while in the decade after 1970 the top five contributing countries changed to Mexico, the Philippines, Korea, Vietnam, and Cuba. Only Mexico is common to both periods. (Keene 1985: 15-24.) It has been noted (Gardner, Robey and Smith 1985: 2) that from 1960 to 1984:

The Asian share of the U.S. legal immigration soared from 12 percent in 1960-69 to 48 percent in 1980-84, when it surpassed the 35 percent of legal immigrants from Latin America.

The flow of immigrants into the United States is composed of immigrants admitted under the system of numerically limited preferences within country quotas and the worldwide ceiling of 270,000 (formerly 290,000) immigrants plus certain exemptions. Immigrants admitted under the preference system are, as has been indicated, able to have certain immediate relatives join them who are exempt from the numerical limitations. Numerically exempt relatives include spouses, children, and parents of adult U.S. citizens.

Table (1) provides data for the years 1979 and 1985 on all numerically restricted immigration, for those preferences which relate only to family unification, for fifth preference, and for occupational preferences. The table also provides information, in the last four columns, on immigration outside the system of numerical limits, or immediate relatives, including those whose status was adjusted while living in the United States.²⁴ The data indicate that

²⁴ Adjustment to immigrant status means a procedure allowing certain aliens already in the United States to apply for immigrant status. Aliens admitted to the United States in a nonimmigrant or other capacity may have their status changed to that of lawful permanent resident if they are eligible to receive an immigrant visa as a permanent resident and an immigrant visa is immediately available. In such cases, the alien is counted as an immigrant as of the date of adjustment, even though the alien may have been in the United States for an extended period of time. Immediate relatives are defined as "certain immigrants who because of their close relationship to U.S. citizens are exempt from the numerical limitation imposed on immigration to the United States. Immediate relatives are: spouses of citizens, children (under 21 years of age) of citizens, parents of citizens 21 years of age or older, and orphans adopted by U.S. citizens who are at least twenty-one years of age." (Immigration and Naturalization Service. 1986. *1984 Statistical Yearbook of the Immigration and Naturalization Service*, Washington, D.C.: U.S. Department of Justice, pp. 229, 321.)

while overall immigration increased from 460,000 to 570,000 from 1979 to 1985, those admitted under relative preferences remained constant at 213,000. The number of fifth preference admissions declined from 92,000 to 70,000; a decline from 20 to 12 percent of the total.

Those admitted under fifth preference constituted 33 percent of all those admitted under relative preferences in 1979 and 27 percent after 7 years. For all of Europe, the proportion of fifth preference admissions was 35 percent in 1979, nearly 40 percent for Asia, but only 22 percent for North America. By 1985, these proportions changed to 20 percent for Europe, 34 percent for Asia, and 20 percent in North America. Without going into too much detail, the proportion of fifth preference admissions declined for almost all of the countries which traditionally have had high volumes of brothers and sisters admitted; declining from 1979 to 1985 for Italy from 59 to 33 percent, in Portugal from 61 to 51 percent, in India from 50 to 42 percent, in Korea from 57 to 36 percent, and in the Philippines from 26 to 23 percent. The proportions rose over this period from Vietnam, from 13 to 32 percent, and for Mexico from 19 to 23 percent.

Focusing on the number of immediate relatives admitted, there has been a slight increase for virtually all regions and countries in the proportion of immediate relatives admitted since 1979. The total number grew from 143,000 in 1979 to 204,000 by 1985. For Italy, although the percentage of such relatives increased, the absolute number declined from 2,000 to 1,750. A similar change occurred in Portugal. In Asia, however, there was both an absolute and relative increase with India increasing from 2,000 to 6,700; Korea from 10,600 to 15,300; the Philippines increasing by nearly 6,000; Vietnam by over 1,000; and Mexico from 26,000 or 49 percent, to 38,000 or 63 percent of the total.

It is also useful to examine data on the admission of relatives accompanying fifth preference immigrants in order to determine the degree of increase in the number of such admissions. The total number of brothers and sisters admitted into the United States from 1970 to 1985, along with accompanying relatives, is shown in table 2. In all, roughly 450,000 siblings were admitted during these years with more than 700,000 accompanying relatives. Such relatives constituted, on average, 57.5 percent of the 1.06 million people admitted via the fifth preference. Relatives were 58 percent of total fifth preference visa admissions in 1970, 56 percent in 1975, and 64 percent in 1985.

The rate of increase in the number of fifth preference admissions and accompanying relatives has fluctuated during the period from 1970 to 1985. Overall, there was a 15 percent increase in sibling admissions and a 49.3 percent increase in the number of accompanying relatives admitted during the period from 1970 to 1985. However, there was a slight decline in both admissions and accompanying relatives from 1970 to 1975, followed by an increase of 62 percent

INS data indicate that there were 8,112 adjustments of status in 1979 out of a total of 92,227 fifth preference admissions. In 1985, there were only 2,436 adjustments out of 70,481 fifth preference admissions. This represents a decline from nearly 9 percent to 3 percent of such admissions.

in sibling admissions from 1976 to 1980. Accompanying relatives also increased by 79 percent during this time period. The largest absolute number of relatives accompanying siblings were in the years 1978 through 1981.

There are a number of explanations for this increase which are important in understanding overall fifth preference demand and influx. The first factor of probable importance in explaining the increase is the fact that the preference system took effect on January 1, 1977 for Western Hemisphere countries which would have resulted in an increase in admissions of those anticipating the ceilings. At that time fifth preference admissions were current and remained current until February 1979 when a worldwide cut-off went into effect.

Following the increases in fifth preference admissions there was a 33 percent decline in such admissions from 1981 to 1985, with a 17 percent decline in accompanying relatives during this time period. It seems probable that this decline in admissions resulted from an oversubscription in higher visa categories resulting in fewer pass-through visas. Indeed, second and third preferences became oversubscribed on a worldwide basis in July 1982. It should, of course, be remembered that the relative rise and fall of fifth preference admissions is not due to the "demand" for such visas but is rather due to the overall availability of visas within specific visa categories as determined by country ceilings and by the worldwide cut-off of 24 percent.

The oversubscription in higher visa categories is likely to continue until the end of the century with fifth preference admissions remaining at or near the worldwide ceiling. Between January 1984 and 1985 there was, for example, a 19.5 percent increase in applications in first preference, an 8 percent increase in second, a 3 percent increase in third and nearly 18 percent in fourth preference. It is unclear whether the size of households accompanying fifth preference admissions differ substantially in size for Eastern and Western Hemispheres. There has, however, been a relatively even distribution of visas for the two hemispheres, closely tracking the original allocations of 170,000 for Eastern and 120,000 for Western Hemisphere countries.

Thus while the number of accompanying relatives has reached a relative high point of 64 percent, the rate of increase in the number accompanying relatives has recently declined. There have also been fewer siblings admitted under the fifth preference, with notable declines since 1978, and the prospect that increased demand in higher visa categories will continue to limit admissions through the fifth preference.

THE AGING OF IMMIGRANTS

One of the central issues associated with understanding and predicting the future of growth of the immigrant population and the opportunities for them to sponsor additional relatives is their average age. That is, the younger the immigrants admitted the less likely that they will be married and the more likely they will have younger, unmarried siblings with few or no children. For comparison purposes, it is useful to note that the median age of the total

population in the United States, as July 1, 1985, was 31.4 years. The median of the white population was 32 years, while for blacks it was nearly 25 years and for Hispanics it was just over 23 years.²⁵

The information in table 3 indicates that the median age of all numerically restricted immigrants was approximately 25 years in 1979 and roughly 26 years in 1985. The median age of the numerically restricted fifth preference population is older than the total; in 1979 it was 26.5 years and was 28.6 years in 1985. Focusing solely on the original applicant, the actual brother or sister of a U.S. citizen, their average age was 34 years in 1979 and nearly 40 years of age six years later. Males were 39 years old and females 40 years of age in 1985. The spouses of the applicants were slightly older than their partners in both years. Their children averaged 11 years of age in 1979 and 12.6 years in 1985.

There is a modest range in the average age of immigrants admitted from countries with traditionally large fifth preference backlogs. There is also a relatively close relationship between the average age of the immigrant cohort and their propensity to marry. The data in table 4 indicate the median age for each continent and for individual countries for 1979 and 1985. Also presented is the percentage of brothers and sisters admitted in those years who were married, excluding those who were widowed, divorced or separated.

The highest median age in 1979 was in Europe, with a median of 36.7 years. In 1985, Asia had the highest average with 40.2 years, with all the continents averaging close to 39 years of age. In Europe, the average age of siblings admitted from Italy increased from 39 to over 42 years. Within Asia, the oldest fifth preference admissions were from the Philippines where the average age in both 1979 and 1985 was over 47 years. The average age for admissions from China increased from 39 to over 46 years during this period. The youngest Asian admissions were from Vietnam where the average was 31 years in 1985. However in Jamaica there was a 3-year increase in median age. Similar average increases occurred for Central and South America rising from a median of 33 years to 38.4 years of age from 1979 to 1985. It is important to note that the waiting period for fifth preference visas increased from less than 1 year in 1979 to nearly 4 years by 1985.

For virtually every country (with the exception of Vietnam and Jamaica) the increase in the age of brothers and sisters was accompanied by increased rates of marriage. The percentages of all siblings admitted who were married rose from 65 to 72 percent in Europe, from 62 to 77 percent in Asia, from 49 to 57 in North America, from 42 to 50 percent in Central America, and from 50 to 60 percent in South America. These fairly sharp increases suggest there may be a growing tendency of unusually late ages at marriage for many prospective immigrants. For example, there were sharp increases in the proportion of married fifth preference immi-

²⁵ The source of these data is the Current Population Survey Report, Series P-25, no. 985, April 1985; as well as special tabulations by the Population Division of the Bureau of the Census. The specific median ages as of 1980 were 31.3 for whites, 24.9 for blacks, and 23.2 for Hispanics.

grants admitted from countries such as China where the percentage increased from 73 to 91 percent from 1979 to 1985. The proportion married declined slightly for the Philippines and for Vietnam. Although the average age for sibling admissions from Mexico declined from 1979 to 1985, the proportion who were married increased from 58 to over 70 percent. In Central and South America the proportion married went from 32 to 38 percent over the 6-year period. (Additional detail is provided in table 5.)

Thus, for the 5 countries with the largest backlog of fifth preference applicants, there has been relatively sharp rise in median age for 3 countries (India, Korea, and China) from 1979 to 1985 and a slight decline in two, with the average for the Philippines declining from 47.9 to 47.3 years and the average for Mexico declining from 34.2 to 32.5 years. The proportion married has risen sharply for four of the five countries, rising from 63 to over 80 percent with the sharpest rise for Korea which increased from 62 to over 83 percent. The proportion of married siblings admitted from the Philippines declined by roughly 4 percent and there were at the same time slight increases in the proportion who were widowed, divorced or separated as well as in the number of single siblings admitted during the years between 1979 and 1985.

Fifth preference principals admitted into the United States during the period 1979 to 1985 were, therefore, markedly older than the total population of the United States with an average difference of 8 years between the two populations. This comparison is, of course, faulty in that the comparison is between siblings of some U.S. citizens with the total U.S. population. Nevertheless, the siblings admitted from most countries have increased in average age over the last several years with the highest averages for admissions from Asian countries and the lowest average ages from Mexico and Vietnam. The vast majority of the brothers and sisters admitted are either currently married, widowed, divorced or separated. As of 1985, only one-quarter of all siblings admitted were single; a decline from 38 percent 6 years earlier. The decline in the proportion of single siblings admitted under fifth preference occurred in all continents, with the proportion in Asia declining from 35 to 19 percent; in North America from 44 to 35 percent; and from 49 to 32 percent in Central America. *The brothers and sisters admitted into the United States via fifth preference are, therefore, both older—older than the native U.S. population—and less likely to be unmarried. Indeed, if fifth preference admissions were limited to only unmarried siblings, it is likely that future backlogs population would be substantially reduced.*

V. THE FIFTH PREFERENCE WAITING LIST

Waiting lists are a familiar part of the desire for scarce commodities including such goods as subsidized housing, seats for hit plays, competent physicians, and citizenship in certain countries. People's tolerance for lengthy waiting lines is based on a number of factors: the perceived fairness of the queue in which the first in line is served soonest; the belief that the waiting period is finite no matter how long; and the absence of any perceived alternatives to waiting. Another characteristic of waiting lists is that people who are wait-

listed frequently drop out of the queue without notifying the list-holder that they no longer are waiting in place. That is, waiting lists frequently include names of people who no longer plan to make use of their option once their name comes to the top of the list (Kaplan 1984).

The waiting list, or backlog, of applicants for immigrant visas to the United States has generally been, with the exception of the era of the Depression, continuous but of variable length. Congressional actions, through legislation and private bills, have served to both shorten as well as lengthen backlogs depending on the degree of foresight associated with legislative reforms. In several instances congressional attempts to reduce or eliminate immigrant visa backlogs may have either had only a temporary shortening effect or have resulted in more rather than fewer applicants.

The absence of any careful examination of the characteristics of immigrant sending countries and applicants, however, leaves substantial gaps in understanding why backlogs are created in certain countries, at certain times, and in certain visa categories and not in others.²⁶ Coequal ignorance applies to understanding the conditions under which individuals decide not to remain on the applicant list and either fail to appear for a consular interview or cause their petition to be withdrawn. Also no information is currently available on the number and types of individuals who come into the United States illegally or with a nonimmigrant visa while awaiting their immigrant visa number to be called in their country of origin (De Jong, Root, and Abad 1986). That is, an unknown proportion of applicants whose names appear on the immigrant backlog are in fact residing in the United States. The difficulties associated with conducting analyses and surveys of actual or potential immigrants compounds the difficulties of knowing who is in the United States legally awaiting an immigrant visa with the intention to become a citizen. In order to be able to predict the prospects for chain migration through preference admissions it is necessary to understand what proportion of immigrants plan to naturalize, emigrate, permanently retain their alien status, or refuse their immigrant petition. (Arizpe 1981; Yu and Lui 1986; Mondschean 1986; Taylor 1986.)

²⁶ In order to visualize the impact of high visa demand on preference allocations, the following table indicates visa allocations for all preference categories for the Philippines from 1967 to 1984. The data indicate that the second preference category has always been a major category for visa allocation, with a diminished role for third preference since 1976. There were no admissions in the nonpreference category in 1983 and 1984. Other research indicates that numerically unrestricted immigration of parents, spouses and minor children grew from 9,300 in 1971 to 22,800 by 1984; an increase from 32 to 53 percent of all Philippine immigrants. (DeJong, Root, and Abad 1986: 5.)

FILIPINO IMMIGRANTS ADMITTED BY PREFERENCE CATEGORY

[Fiscal Years 1967-76, 1977, 1978, 1983, 1984]

Preference	1967-76	1977	1978	1983	1984
First.....	3,348	424	435	2,021	2,494
Second.....	69,432	16,140	7,870	6,433	6,444
Third.....	85,429	3,477	2,131	1,799	2,048
Fourth.....	6,508	4	1,885	1,911	1,949
Fifth.....	9,578	113	4,613	4,291	5,040
Sixth.....	1,855	8	1,476	1,871	1,853
Seventh.....	4	1	0	(236)	(338)

A limited amount of information is available to describe the size of the immigrant visa waiting list using data on active and inactive visas from the Bureau of Consular Affairs.²⁷ Active visa registrants are all those applicants who have received a visa petition from within one of the numerically limited preference categories and who are not inactive. Inactive applicants, as mentioned earlier, are those applicants who have not reported to a consular post with necessary documents in order to become documentarily qualified for an immigrant visa. As of January 1, 1986, *there were 1.9 million active and nearly 600,000 inactive applications. Inactive applicants were, thus, nearly one-quarter, or 23.9 percent, of the total backlog of 2.5 million visa applicants.*

Focusing first on active applicants, we find that of the 1.9 million active applicants 64 percent, or 1,210,656, were in fifth preference. The second largest category of backlogged applications was in second preference, with 18.2 percent or 346,728 applicants. The nonpreference category was the third largest with over 161,000 applications. Many individuals registered in the nonpreference category reportedly are also registered in other visa categories.

Fifth preference visa applications reached a high of nearly 257,000 in 1982, but have since declined in numbers dropping to 172,000 in 1984 and 121,000 in 1985.²⁸ Applications in second preference have, however, markedly increased rising from only 7,500 in 1977, to 37,500 in 1982, and to 110,000 in 1985. Fifth preference visa applications represented 63.6 percent of all active visa applications as of January 1, 1986, and 87.5 percent of all relative preference visas. (Relative visas include first, second, fourth and fifth preferences.) It is a matter of conjecture whether "demand" for visas shifts from one oversubscribed category to another in an effort to shorten waiting lines via the use of a higher preference category. This conjecture assumes, however, that there is a transposability of

FILIPINO IMMIGRANTS ADMITTED BY PREFERENCE CATEGORY—Continued

(Fiscal Years 1967-76, 1977, 1978, 1983, 1984)

Preference	1967-76	1977	1978	1983	1984
Nonpreference.....	295	30	721	0	0
Total	176,449	20,197	19,131	18,326	19,828

¹ Includes refugees and asylees granted permanent residence under the Refugee Act of 1980.

Source: SCIRP 1981b: 346; "1983 Statistical Yearbook of the Immigration and Naturalization Service"; Tables 1.5, 2.1 and 5.1 for 1983, and Tables 1.5, 2.1 and Ref. 4.3, p. 85 from the INS "1984 Statistical Yearbook."

²⁷ There have been sporadic backlogs for individual countries since at least the 1950's (Staff Report 1979: 197,206). The Select Commission staff report notes: "the prospects of immigrating within a reasonable period—and in some cases, even a lifetime—were dim for persons from many countries. Third-preference numbers were backed up for about 10 years for applicants from countries such as Greece, Italy, Portugal, and the Philippines; fourth preference and non-preference visas were unavailable to nationals of those countries." Particularly large backlogs in certain Asian countries led to provisions in 1976 to require the allocation of visas according to percentages assigned to preference categories for countries where visas were backlogged. (SCIRP 1981b: 347.)

²⁸ It is important to note that some level of fifth preference petitioning occurred in 1982 in response to Simpson-Rodino proposals regarding siblings. Also, the enumeration of visas filed for 1985 was not completed at the time that the report was prepared. Numerous petitions are apparently still pending at INS and have not received final approval. Immigrant numbers for January 1987, when published, will reflect a higher total for 1985 cases since by then all such petitions will have been adjudicated. Also, the introduction of the preference categories to the Western Hemisphere in 1977 added to petition filings after that year as well.

immigrant applicant characteristics and a high level of rational calculation on the part of petitioners and applicants. It seems unlikely that petitioners or applicants in most countries have sufficient information to "work" the immigrant admissions system to his or her own advantage. In a handful of high volume countries such information and networks may be available but there is no systematic research on this subject. The absence of data on the extent of marriage or occupational preference fraud and on the "merchandising" of immigrant visa information by local newspapers or other entities, makes it difficult to speculate further on this point.

There is a relatively high degree of variability in fifth preference waiting lists as a percent of the total backlog for specific countries. Table 6 indicates that fifth preference applicants represent over 32 percent of Mexico's backlog but are 90 percent of India's. For European countries, such as Greece, Italy and Portugal, the fifth preference backlog is over 80 percent of the total as of 1986.

In addition to a fair degree of variability in the fifth preference per country backlog, there is also a high degree of concentration in the number of sibling applicants in a handful of countries. As table 6 indicates, *ten countries contain 73 percent of the worldwide fifth preference backlog. Indeed 38 percent of the entire backlog is concentrated in the Philippines, India, and Korea;* and 56 percent in the top five countries listed in table 7. The final column in this table indicates the proportion of each country's total backlog which is in fifth preference. Again, even among these top ten there is a degree of variability, with Mexico at the low end and India at the top.

In addition to the relative popularity of fifth preference applications, it is helpful to understand whether there has been any change in the demand for such visas over time. That is, has the rate of petitioning for siblings risen or fallen over the last several years. Bureau of Consular Affairs data for the years 1979, 1982, and 1985 on the number and percentage increase in fifth preference active applications are shown in table 8. The worldwide total of such applications rose from 233,000 in 1977, to 690,000 in 1982, and to 1.14 million by 1985. For the countries which traditionally have had the largest sibling applicant waiting lists, the number has increased from 193,000 to 937,000 from 1979 to 1985. Certain countries, like Cuba and Vietnam, have had startling increases, with fifth preference applications growing in Cuba from 331 in 1979 to nearly 25,000 by 1985. And in Vietnam the number has grown from 670 to nearly 52,000 over the same time period.

One means to appreciate the rate of increase in the demand for fifth preference immigrant visas is to examine the percentage increases shown in table 8 for both fifth preference and for all active applications. It is clear that while there has been a relatively constant increase for all visa categories over the period from 1979 to 1985, the rate of increase for fifth preference has declined. The percentage increase in the period from 1979 to 1982 was 196 percent but only 66 percent for the next period. The rate of increase was 58 percent and 51 percent for comparable periods for the total visa backlog. In absolute numbers, there was an increase of 456,277 fifth preference applications from 1979 to 1982 and an increase of 452,139 from 1982 to 1985. For total visa demand, applications in-

creased from 431,089 between 1979 and 1982 to over 600,000 by 1985. Thus the absolute level of fifth preference demand remained stable as overall demand increased.

Because of the small numbers of applicants for many countries in 1979, it is inappropriate to emphasize the fluctuations in rates of change. There were such small numbers of applications in 1979 from countries such as Cuba, the Dominican Republic, Haiti, Israel, Nicaragua, and Vietnam that even slight absolute increases appear as substantial relative increases. Statistically such changes are not robust enough to warrant comment.

There were, however, changes in the rate of increase for other countries which are notable. In China, for example, there was an increase from 20,000 to over 75,000 applicants from 1979 to 1982 for a 282 percent increase. From 1982 to 1985 there was an additional increase of 20,000 applications for an increase of only 26 percent. In India applications rose from 11,000 in 1979 to 54,000 3 years later for an increase of nearly 400 percent. By 1985, the number of applications grew to 141,500 for a 161 percent increase. Korea's applications rose from 40,000 to 96,000 from 1979 to 1982 and to over 109,000 by 1985. The rate of increase changed from 142 to 14 percent over these two time periods. Mexico's increase in sibling applications also slowed from 247 percent from 1979 to 1982 to only 80 percent from 1982 to 1985. Finally, in the Philippines the number of applicants rose from 72,500 to 171,000 from 1979 to 1982 and then to nearly 200,000 3 years later. The rate of increase dropped from 136 to 17 percent over these two time periods. Such percentage changes in the period from 1982 to 1985 are smaller than those for total visa demand from the Philippines and Korea, but higher than those for China, India and Mexico. In a few instances there has been a negative rate of increase with declines in the absolute number of fifth preference applications in countries such as Greece, Israel, Nicaragua, and Portugal.

There has, therefore, been a steady increase in the number of fifth preference applications from most countries which have traditionally had high levels of applications of siblings. There have been sharp increases in registrations for a few countries as well as slight declines for others. *Fifth preference registrations grew at a rapid pace for the years 1979 to 1982 with a slower rate of increase in more recent years for most high volume countries.* There were variable rates of change for most other countries with dramatic increases in sibling applications from several countries with special refugee considerations. Countries experiencing substantial realignment affecting emigration include Cuba, Hong Kong, Iran, Nicaragua, and Vietnam. Percentage changes in legal immigration, therefore, reflect some of the after-effects of U.S. policy regarding refugees and asylees as they have naturalized and petitioned for their siblings. Whether the slackening of registrations in other countries is due to lower rates of naturalization and sponsorship in the United States, the "drying up" of residual siblings as is occurring in Italy, or the frustration of applications over long delays cannot be determined from available data.

WAITING LISTS IN MANILA, SEOUL, AND MEXICO CITY

In order to help understand the characteristics of fifth preference applicants waiting for visas, U.S. State Department Visa Offices in Manila, the Philippines; Mexico City, Mexico; and Seoul, Korea were asked to provide information on the number, sex, and age of all siblings and their families registered at their posts. The information was provided only for active visas for the particular immigrant visa issuing post and does not include data on all applicants for the three countries. Another characteristic of these data is that the information from the three posts is based on data obtained from the initial petition and consequently such information may be anywhere from months to over a decade out-of-date. Marriages, divorces, deaths, and births have undoubtedly occurred between the date of petitioning and the present. It is also important to note that the date of birth for large numbers of immediate relatives is missing from data files. For Seoul, roughly 40 percent of case files were missing information on date of birth. However, in Manila less than 9 percent and in Mexico City less than 6 percent of such records had missing birth date information. Other characteristics and limitations of these Visa Office data are described in Appendix A.

Despite these shortcomings, such information offers a partial understanding of how many spouses and children are likely to accompany fifth preference principals from the three countries and also provides some indication of their relative ages. The number of principals constituted a minority of all applicants from the three posts, ranging from one-third of the total in Manila to 43 percent for Seoul and Mexico City. In Manila, there were nearly 30,000 spouses registered suggesting that roughly 66 percent of all principals were married. In Seoul there were 25,000 spouses for 31,300 principals for a rate of 79 percent. The lowest ratio of spouses to principals is in Mexico City where there are only 6,055 spouses for nearly 15,000 principals. There are larger proportions of spouses as the age of principals increases, suggesting the obvious tendency towards marriage in later years. Again, it is important to recall that marital status data are necessarily incomplete.

The number of children ranges from nearly 90,000 for Manila, or 47 percent of all applicants, to 13,600 for Mexico, or 39 percent, to over 17,000 or 23 percent of the total backlog for Seoul. These data, again, will not reflect all children ever born to an immigrant family since many births will occur after the date of petitioning. Nevertheless, it appears that there are more young family members that will immigrate with applicants from Manila than there are from the other two posts. It is not implausible that some immigrant applicants have either delayed marriage or child-birth until they have received their immigrant visa and become economically adjusted to their new country, or are from households which would have had lower fertility in any event. (Goldstein and Goldstein 1984; Gurak 1978.)

The data in table 9 also provide information on the date of birth of fifth preference registrants at the three posts. The last, or total, column includes spouses and children of the applicant. The data indicate that for Manila nearly 40 percent of applicants were born

before 1939 with 23 percent in Seoul, and 17 percent in Mexico City being at least 47 years old. The table also shows that over 75 percent of principals from Manila were born before 1949; 62 percent were born at that time in Seoul; while only 43 percent are 37 years of age or older in Mexico City. Thus, the data suggest that siblings likely to be admitted from Manila will be considerably older than registrants from Mexico, but somewhat closer in age to Korean siblings.

Examining information in the column for total applicants, including children and spouses, over 34 percent of the total applicants from Manila were born in 1970 or later. In Seoul less than 20 percent are that young while in Mexico City 27 percent of total applicants were born in 1970 or later. Siblings from Manila will thus be entering with larger numbers of younger children than applicants from the other two posts.

In terms of sex ratios, in Manila male principals were 52.4 percent of all principals and in Mexico City they were 55 percent. In Seoul, male principals constituted 53 percent of all sibling principals. The similarity in these sex ratios suggests that there is a normal demand for relatives without preference for either gender. That is, there does not appear to be a preference for male siblings who might be considered more able workers nor for females who might be used to assist the petitioning family in domestic chores. Rather, sibling applicant sex ratios appear to reflect the normal distribution of males and females found in virtually all populations.

INACTIVE APPLICATIONS

As described earlier, there are a substantial number of visa applications which become inactive because the applicant fails to complete the required documentation at the consular post for his or her country of chargeability. These inactive registrations are not typically incorporated in published reports by the Department of State concerning waiting lists so that figures on the backlog are not "unreasonably exaggerated." Nevertheless since an inactive application may be reactivated at any point by the registrant, they constitute an additional segment of the population waiting for immigrant visas. On a worldwide basis, approximately 200,000 visas become inactive annually. The information in table 10 indicates that in 1982 over 24 percent of all fifth preference visa applications were inactive and, in 1986, 205,000 or 14 percent were classified as inactive. Thus, although the total number of fifth preference registrants increased, the proportion of inactives declined during this 5 year period.

The data in table 10 also indicate that there is substantial variation in the level of inactivity in fifth preference by country of chargeability. For Italy, for example, 33,000 out of 38,000 registrations were inactive in 1982, for a total of 87 percent. In 1986, the proportion of inactives was 77 percent. Egypt, Greece and Portugal also had relatively high levels of inactivity, with 40 percent inactivity in Egypt in 1986, 57 percent in Greece, and 27 percent in Portugal. These proportions represent declines in the level of inactivity compared to figures for 1982. For Vietnam, the relatively

high level of inactivity in 1982, 65 percent, converted to a low rate of one percent within 5 years.

There are relatively low levels of inactivity for another group of countries including Hong Kong, Jamaica, and the Philippines; the latter with only 4 percent inactivity in 1982 and 1986. Several other countries have moderate levels of inactivity, or fluctuations between the two time periods. Taiwan, for example, had less than one percent inactivity in 1982 but 14 percent in 1986. (Taiwan chargeability was separated from China at the beginning of 1982.) Cuba's rate also rose from 3 to over 12 percent, while the Dominican Republic's dropped from 23 to 11 percent. The rates for Haiti, India, Israel, Korea and Pakistan have all dropped slightly; declining on average from 21 to 14 percent.

These figures suggest that there may be country-specific reasons for the variations in inactivity, with a modest level of inaction in most countries. There are a small number of countries which have such high levels of inactivity that there is reason to question whether the active backlog should be taken at face value. Large numbers of petitions may have been filed for individuals who are now either too old or who have grown disinterested in uprooting themselves for life in the United States. It is also possible that individuals who have fifth preference petitions have died, emigrated to another country, entered illegally, or have decided that the "insurance" of the petition need not be acted on immediately. Some individuals with visa petitions enter the country as a nonimmigrant and subsequently adjust their status without withdrawing their petition on file at the consular post. Until more is known about the reasons for the failure to respond to consular requests, it is premature to speculate about reason for such "refusals." However, temporary or permanent these inactive visas, they suggest that *the current active visa waiting list in fifth preference includes a modest number of applicants who will not utilize their visa option. That is, the real backlog of "active" applicants is undoubtedly smaller than figures currently provided by the Bureau of Consular Affairs.*

VI. PROJECTING THE DEMAND FOR IMMIGRATION: THE FIFTH PREFERENCE "MULTIPLIER"

Information on the age, marital status and visa inactivity of fifth preference visa applications provides a useful beginning point for anticipating the future demand for immigrant visas. Such information, however, provides only the first step in estimating future rates and components of immigration. Estimating or projecting future population trends is fraught with well-noted conceptual and empirical problems. (Dorn 1956; Notestein 1956; Siegel 1979; United States Bureau of the Census 1984.) Migration dynamics are, for example, linked to both short and longer term changes in economic conditions in both the country of origin and destination for immigrants, but few data exist to document this interconnection. (Bean, Cullen and Stephen 1984; Greenwood and McDowell 1982; Dorn 1956: 88.) There is also only a limited understanding of the social processes by which populations change their size and location with only one formal projection of annual levels of legal immigration to the United States. (Notestein 1956: 34; Bean, Opitz and Stephen

1984.) This study developed several projections for the years 1985 to 2005 for all legal immigrants by age and sex based on alternative assumptions about future legal immigration. But these projections did not disaggregate by different routes to legal immigration, did not link the projections to past behavior by an explicit methodology such as modeling, nor did they make projections by country of birth.

There are a number of basic assumptions which must be made in order to sensibly estimate, or project, future levels of legal immigration into the United States and its expansion via chains of future immigrants. First among these assumptions is that U.S. immigration laws and their enforcement determine the parameters for most immigration. The basic number of immigrants admitted under the worldwide ceiling as well as numerically exempt admissions will largely determine future flows. Since no nonpreference immigrants have been admitted into the United States for several years, it is reasonable to expect that future flows will come only from family and labor preference categories.

This assumption, however, is based on an adequate level of enforcement of immigration laws. Recently enacted immigration legislation is expected to significantly influence future levels of immigration by both choking off most illegal entries and by legalizing several million previously undocumented workers, allowing them rights of citizenship and sponsorship. It is unclear, however, how effective border control and enforcement procedures will be as well as how many illegal immigrants will elect to claim amnesty and then naturalize. (Johnston 1986; Pear 1987.) It is also unclear whether dependent spouses and children of legalized aliens will be incorporated within or without the existing system of numerical limits and preferences. A fair degree of uncertainty therefore exists in predicting the level of new legal and illegal admissions, or adjustments, into the United States over the next decade.

Second, assumptions about future levels of immigration should take into consideration the possibility that some form of a cap may be placed upon legal immigration incorporating immediate relatives within an overall ceiling. (Greenwood and McDowell 1985; Bean Opitz, and Stephen 1984: 2-4.) The absolute number of immigrants legally admitted may also change under such legislation, increasing from 270,000 plus refugees. Assuming that there will be about 200,000 immediate relatives admitted per year, it is possible to indicate the number of relatives admitted via the preference system under the proposed cap. Approximately 15,000 fifth preference admissions would occur after the 150,000 family reunification visas are distributed among revised preference categories. This represents a decline from roughly 65,000 fifth preference admissions under the current system. (Greenwood and McDowell 1985: 71.) If the number of immediate relatives increases above the level of 155,000, the number of visas allocated to the proposed visa system would decline even further. (Greenwood and McDowell 1985: 72.) It is also important to consider what would happen to existing backlogs and how long it will take to "clear" those who had approved petitions.

A third assumption relates to the level of emigration. The number of immigrants who fail to naturalize and then return to

their country of origin has traditionally been estimated to be about 30 percent a year. Emigration rates, however, now appear to vary considerably by country of origin with rates estimated to range from 12 to over 70 percent. The emigration rate for the cohort or group of immigrants who entered the United States in 1971 could have been as high as 50 percent ranging from low levels for China, India, Korea and the Philippines to higher levels of return for Mexico and South American countries. (Jasso and Ronsenzweig 1982.)

The rate of natural increase of population groups, both before and after immigration, is a fourth area of concern in estimating the future size of the immigrant population. In this area, as in others, there has been relatively limited research on the fertility, mortality, and household formation rates of various immigrant cohorts. Bean, Opitz and Stephen (1984: 8-9) for example note that:

Research on patterns of immigrant differences in forms of demographic behavior is scant. What evidence that does exist pertains mostly to the Mexican population, and it suggests patterns that might cancel one another to some extent with respect to their impact on population growth. For example, immigrants in many cases exhibit higher fertility, but at the same time they also may experience higher mortality and show less tendency to marry.

The fertility of Mexican immigrants may be 20 to 30 percent higher than that of the native born population but such differences often disappear through a process of convergence. (Bean and Stephen 1986; Potter 1986.)

Various Indochinese immigrants also apparently experience declines in their original levels of fertility, but some portion of these declines may be due to the disruptions associated with their refugee status rather than from an adaptation to native United States fertility norms. (Rumbaut and Weeks 1986; Goldstein and Goldstein 1984.) Such disruptions have been shown to have short run impacts on the fertility of Cubans but the absence of longitudinal data on the fertility behavior of other immigrant cohorts makes it hazardous to conclude that there will be a total, or even major, convergence in fertility pattern for all nationalities. (Gurak 1978; Keely and Kraly 1978.)

Underlying estimates of future immigration are assumptions about the complex of motives and influences upon immigrants. Immigrants will be motivated by a host of short and longer term, push and pull factors tied to actual and perceived economic and political opportunities. (Bean, Cullen and Stephen 1984.) Legal and illegal immigrants from Mexico, for example, have been shown to be influenced by household income, age, and educational factors as well as by migration kinship networks or family contacts in the United States. (Taylor 1986; Massey 1986a.) Some of these factors also militate against the naturalization of the immigrant as heads of households return to support family members which remain behind. (Taylor 1986: 62-65.) Household decisions are also affected by changing national economic conditions with, for example, the decline in oil prices increasing emigration from Mexico of house-

holds which previously had not been a source of immigration. (Bean, Cullen and Stephen 1984: 12-13.)

The complexity of these influences is such that there is seldom a case when a person emigrates solely for economic or family related reasons. Thus, in a recent survey of natives in the northern Philippines, respondents who were expecting a fifth preference visa planned to emigrate mainly for economic reasons. Indeed less than 30 percent said they planned to move solely to join their families in the United States. At the same time, 65 percent stated they planned to move in with someone; but the questionnaire failed to indicate whether that "someone" was their visa sponsor. (DeJong, Root and Abad 1986: 10-14.) Without clearer evidence on immigrant's values and decisions over a period of time it is difficult to be certain that desires to emigrate will always become an actual move and that the immigrant will naturalize and, in turn, seek to have other family members join him or her in the United States on a more or less permanent basis. It also seems clear that many of the decisions on emigration vary noticeably among countries. That is, it should be assumed that there will be country-specific and regional influences on patterns of immigration.

It must also be assumed that there is adequate time-series data on the various demographic components of immigrant's behavior in order to measure short and long term outcomes. A substantial portion of the data necessary for effective demographic analysis is, however, restricted to one or two countries of origin and collected over relatively short periods of time. Administrative files, from INS and the Visa Office, provide some time series data but appear to have significant areas of omission and error. Since these agencies currently have no justification, need, or resources to gather additional data, it is incumbent on Congress, Select Commissions, or immigration researchers to systematically supplement such data files. (Levine, Hill and Warren 1985: 67-71.)

THE FIFTH PREFERENCE MULTIPLIER

There are, then, a substantial number of assumptions—or data gathering efforts—which need to be made before predicting the short or long term consequences of legal immigration. One of the foremost efforts at such prediction involves the question of immigration multipliers. The immigration multiplier is the probability that additional chains of family members will immigrate to the United States following the admission and naturalization of an immigrant. The central policy and research question is how large, or explosive, is the multiplier?

A crude estimate of the multiplier was made by the Chairman of the Select Commission on Immigration in 1981. (SCIRP 1981a: 334-335.)²⁹ To illustrate what he termed the "runaway demand" for fifth preference visas he suggested the following:

²⁹ The precise number of chain immigrants has received very little careful attention by researchers. Hutchinson (1981: 520) cites a Canadian estimate that "the admission there of one Italian immigrant in the 1950's meant the eventual coming of forty-nine relatives; but the Canadian system of sponsorship contributed heavily to this total." This crude estimate is clearly much lower than the hypothetical example cited by the Select Commission.

To illustrate the potential impact, assume one foreign born married couple, both naturalized, each with two siblings who are also married and each new nuclear family having three children. The foreign-born married couple may petition for the admission of their siblings. Each has a spouse and three children who come with their parents. Each spouse is a potential source for more immigration, and so it goes. It is possible that no less than 84 persons would become eligible for visas in a relatively short period of time.

The Chairman's illustration of an extreme, has more recently appeared as one of the worst-case "horror stories" used to document the need for the reform of the preference system with particular emphasis on fifth preference. Examples of a single immigrant "bringing in" 80 or 90 relatives may be heard in the halls of Congress in 1987.

Such case illustrations, however, have the disadvantage of confusing the atypical with the average. They are inept and misleading for a number of specific reasons. First, they fail to recognize that not all immigrants will naturalize, with evidence suggesting that immigrants from countries near to the United States naturalize at a substantially lower rate than those from more distant locations.³⁰ In addition to variation in the rate of naturalization there are also variations in the timing and rate of sponsorship. Not all recent citizens will need or want to sponsor the immigration of their siblings in the near or longer term. A third factor that must be considered in calculating the potential multiplication of relatives is waiting times. The waiting time for a fifth preference visa on a worldwide basis is 5 years at present, with delays of 11 or more years in certain high volume countries. Indeed, waiting times appear to be increasing rapidly. Once having naturalized and decided to sponsor a sibling, it may then take a considerable period of time for that immigrant to receive a visa and enter the United States and, as was shown earlier in this paper, the longer the wait the higher the chances are that the sibling will be both older, married and possibly "inactive."

The first, statistically sophisticated attempt to utilize many of these factors to calculate immigration multipliers has recently been completed by Jasso and Rosenzweig (1986). Because measurement of the size of the multiplier is an important issue in determining the need for legislative reform of the current immigrant preference system, a detailed presentation of the findings from this analysis and a critique is appropriate. This critique draws upon comments submitted to the Senate Subcommittee by the Statistical Analysis Branch of INS and the Population Division of the Bureau

³⁰ Neither low nor high rates of naturalization are, of course, immutable. Organized efforts to increase the rate of naturalization among Mexican or other immigrant groups in the United States may result in higher rates of sponsorship. The enforcement of employer sanctions may add additional incentives for households to naturalize. However, unless there is an increase in visa numbers or a shortening of waiting times, most applicants for citizenship will be aware that there will be little chance of an imminent reunion with sponsored family members. Programs aimed at naturalizing aliens may, of course, have shorter-term social and political objectives in mind.

of the Census. (The complete text of these comments is contained in Appendix B.)

Utilizing 1970 census data on naturalized citizens and 1971 INS cohort data on naturalizations, Jasso and Rosenzweig calculate immigration multipliers for a number of preference categories for 64 Eastern Hemisphere countries. The authors acknowledge that there are numerous shortcomings in their data, including the exclusion of second preference admissions. Also, their focus is upon the first, 10-year multiplier with only a passing reference to the multiplier in subsequent decades.

Table 11 provides information derived from the Jasso and Rosenzweig paper on actual first-round multipliers for male and female principals.³¹ The data reveal that slightly over one additional immigrant was admitted or petitioned for each labor preference citizen in the first decade. For male citizens, an additional seven-tenths of a sibling immigrant was admitted for every one citizen; for females only five tenths were petitioned for or arrived. The multiplier rates for the other preference categories are roughly similar. There are reductions in the multiplier for second, or subsequent, rounds.

TABLE 11.—TOTAL FIRST-ROUND VISA MULTIPLIERS BY ENTRY VISA CATEGORY OF PRINCIPAL AT ENTRY, INCLUSIVE OF SPOUSES AND CHILDREN

Principals visa category	Male	Females
Labor-certified	1.19	1.17
Sibling of citizen	0.69	0.49
Spouse of citizen	0.65	0.66
Spouse of alien	0.76	0.55
Adult offspring of citizen	0.50	0.66

The authors reach a number of conclusions after presenting their data. First, the observed immigration multiplier is "substantially lower than the potential multipliers and lower, as well, than previously supposed." That is, there is no evidence of an explosive or rapid escalation in immigration based on the current preference system. Second, they find important differences in the potential for naturalization and sponsorship, and therefore of subsequent chain migration, depending on economic and demographic characteristics of the country of origin. For example, countries with higher levels of GNP are less likely to generate subsequent migration chains. Their third major finding is that the highest potential for chain immigration is through labor-based preference categories with fifth preference utilized to reunite siblings with immigrant workers at higher levels than other visa categories. They conclude in this regard that:

For labor-certified immigrants . . . the immigration multiplier would be reduced by 36 to 41 percent if the fifth-

³¹ The first round multiplier indicates "how many new (adult) immigrants will enter the United States within ten years of the immigration of one immigrant via the citizenship-based family-reunification statutes." The authors assumed that the original sponsor would not petition for additional siblings. (Jasso and Rosenzweig 1986: 23, 24.)

preference category were eliminated. (Jasso and Rosenzweig 1986: 309.)

The authors do not address the issue of how to eliminate existing fifth preference backlogs.

There are a number of comments and criticisms of this analysis which need to be made in order to interpret their findings and draw sensible policy conclusions. Jasso and Rosenzweig have significantly advanced the state-of-the-art in analyzing the probable demographic impacts of legal immigration, utilizing skillfully blended sets of data and innovative statistical techniques. Despite the pathbreaking character of their analysis it is nevertheless clear that there are a number of shortcomings of this research.

The first limitation of their analytic scheme is that it fails to incorporate the worldwide and visa category ceilings which are associated with immigrant admissions for each country and colony. These ceilings and drop-down rates of unused visas constitute a fundamental determinant of how many immigrants are admitted in any given year in specific preference categories. The direct result of such category ceilings is lengthy waiting times in many lower visa categories resulting in delays of at least 5 years for fifth preference admissions. By failing to incorporate preference ceilings and waiting times into their calculations the authors provide an exaggerated estimate of current chain migration. That is, the analysis does not distinguish an actual immigrant admission from a petition and thus incorporates into their immigrant multiplier for the first 10-year period large numbers of relatives, especially siblings, who have little or no chance of actually entering the United States given current world-wide and country specific fifth preference backlogs. Thus while they estimate an additional one-half sibling immigrant added for each female citizen, there is currently a very high probability that the "one-half" immigrant would be unable to enter the United States during the first round of multiplier calculations if they were from any of the top 5 or 10 countries with substantial waiting lists.

Thus, the failure to incorporate preference limitations and waiting times will likely result in lower multipliers. At the same time, the author's failure to incorporate immigration from second preference and the immigration of relatives of native-born United States citizens, such as spouses of military personnel, will slightly increase the size of the overall multiplier. There is reason to believe from their own data that spouses of citizens at overseas military bases constitute a non-trivial source of first-round immigration. It is impossible at this point, however, to calculate the tradeoffs between these two limitations to determine whether there is an overall increase or decline in first-round immigration. It seems clear that waiting times for siblings will measurably reduce the level of multiplication through labor certification preference categories thereby reducing one of the primary sources of short-term chain immigration.

A more technical limitation of the analysis is that many of the measurements used in calculating the multipliers are based upon very small numbers of cases. The total number of cases is only 64 countries so that there is often a low-level of statistical significance

for specific equations and multipliers. Because of the small number of countries used in calculating basic rates, estimates used in calculating the multiplier are often not significantly different from zero or different from each other. That is, it is impossible to be certain that a multiplier of .4 is significantly different from a multiplier of .5 with an incremental loss in confidence in estimates built upon shaky empirical foundations.

The use of 1970 census data on naturalized citizens represents an additional technical shortcoming. There are well-noted difficulties associated with census information on citizenship, with Mexican-Americans especially likely to overstate their citizenship. Jasso and Rosenzweig's use of such data may have been unavoidable but there remains a necessary degree of uncertainty about the overreporting of citizenship which in turn is certain to inflate the probabilities of sponsorship and chain migration.

There are an additional set of limitations associated with utilizing data from 1970, and 1971 to 1981, before the period when the oversubscription of many visa categories occurred. Such dated information also influences information on marriage rates for immigrants and the likelihood that spouses and children will be incorporated in chains of immigrants. For example, they utilize information on rates of marriage for 1971 which underestimates the current probability of being married. While they estimate a rate of marriage of 65 percent, INS data for 1985 indicate that the rate of marriage on a worldwide basis is nearly 70 percent and is roughly 80 percent for countries such as Portugal, India, Korea, Taiwan, and China. At the same time, the rate for Vietnam is only 38 percent and is just 46 percent for Jamaica. The variability in such basic rates makes it important to incorporate country specific calculations of multipliers.

Thus, the Jasso and Rosenzweig analysis calculates estimates of chain migration for the period up to 1981 with comparatively little transposability of these estimates for current cohorts of immigrants. It appears that a current estimate of chain migration would result in a lower level of chaining for the first decade after entry, with the prospect that extensive delays in fifth preference will increase the rate of drop-outs or visa inactivity.

Future estimates of immigration multipliers should utilize actual immigration rather than petitioning data and incorporate an estimate of country-specific waiting times in order not to unduly inflate first-round fifth preference multipliers. The incorporation of immigration in second preference, and the immigration of relatives of U.S. citizens, will partly offset some of the decreases in the overall multiplier but will not alter the fact that sibling admissions based on labor certification categories will not be as substantial as many supposed in future multiplier cycles. It is most unlikely, therefore, that there will be substantial increases in sibling chain migration for the remainder of this century. A recalculation of immigration multipliers utilizing current INS data on immigration, emigration and naturalization would generate a more realistic esti-

mate of the prospects for additional immigration via the family reunification system.³²

VII. SUMMARY AND OBSERVATIONS

SUMMARY

The purpose of this paper has been to provide a description of both the legislative history and the demographic characteristics of the brothers and sisters preference category within current U.S. immigration law. The legislative history traces the evolution of the system of preferences in relation to various Presidential commissions, congressional hearings, and policy research. The demographic analysis provides data from the Immigration and Naturalization Service and the State Department on the number and characteristics of fifth preference immigrant admissions and backlogs over the last 5 to 10 years concluding with a brief discussion of the issue of chain migration.

Legislatively, the system governing the admission of immigrants into the United States evolved from a congressional consensus that employment and family considerations were the highest national priorities. Congress has, however, vacillated over the degree of importance assigned to these two general categories and, relatively recently, has added an additional concern for refugees. Congress first recognized the importance of family reunification in 1924 by allowing immediate family members to be admitted outside the system of quotas or preferences governing all other legal immigration. By 1952, labor considerations were allocated the first half of all visas, with siblings receiving only one-quarter of any unused visas in a two category system. The importance of siblings was increased in 1959, receiving one-half of unused visas. By 1965 Congress decided to eliminate the previous national origins quota system and replace it with a system of country ceilings and preferences which operate to this day. Congressional decisions regarding the preference system were made within a context of concern over backlogged relatives waiting in Europe and elsewhere to be "re-united" with their families as well as concerns over admitting too many foreign workers. Such considerations apparently were fundamental in establishing the specific thresholds and pass-throughs of visas and the determination that new seed or nonpreference admissions would be a last place, residual emphasis.

Due to the fact that most decisions in 1965 on the structure of preferences were made in closed, executive, sessions no record exists of the details of how and why preference allocations were set into law. The indifference of the executive branch apparently provided the House Subcommittee the opportunity to substitute a greatly increased role for family unification in place of previous proposals stressing U.S. employment needs. It appears that the administration and congressional committees expected that there would be a revision of the preference categories within a short time.

³² Professor Rosenzweig has acknowledged to the author that these are major limitations to their analysis and indicated that they are in the process of recalculating the multipliers using more current data.

Thus, without any careful process of hearings or research on preferences, Congress enacted into law four tiers of family considerations, two for labor, and one for refugees. Family reunification would occur, firstly, outside the system of preferences and in the first, second, fourth and fifth categories and would receive 74 percent of all visas. Brothers and sisters are the last family reunification category but were allocated nearly one-quarter, or 24 percent, of all visas; the largest proportion of visas allocated. As a result, the 1965 Immigration and Naturalization Act Amendments have been labeled the "brothers and sisters act."

There have, then, been striking changes in the immigration preference system with Congress issuing increasingly detailed specifications of precisely how many immigrants of which types were to be admitted. Congress has concomitantly circumscribed executive branch authority, permitting little administrative flexibility or periodic reviews and reformulations of preference system allocations.

Beginning in 1978, the Select Commission on Immigration and Refugee Policy sought to improve the system for allocating family and labor visas. In 1981, they recommended separate tracks for each but did not indicate relative priorities, or percentages, for the various categories. They recommended retaining the preference for siblings but only with a strong dissent from both a minority of Commission members and staff. The Select Commission also recommended an increase in the flexibility of the administration of immigrant admissions with a special advisory role for an independent immigration review board. The Commission did not, however, consider what number of immigrants the United States could accept and absorb, simply recommending an increase to 425,000 immigrants for both the family unification and "independent" tracks. And although some Commissioners were concerned over the "explosive" potential of immigration via the fifth preference no evidence was presented on the issue.

In Joint House-Senate hearings in 1981 and 1982, there was administration testimony opposing any significant changes in preferences or numerical limits as well as strong interest group support for the retention of fifth preference. In 1982, new legislative provisions were introduced which proposed a ceiling on all legal immigration including immediate relatives and a two-track preference system paralleling that suggested by the Select Commission. The legislation also proposed dropping the fifth preference with a 10 percent annual allocation to be used to eliminate the backlog. Although passed by the Senate, no action was taken on this bill by the House. More recently, both the administration as well as Senator Kennedy have introduced proposals to amend the preference system with varying degrees of impact on fifth preference. Hearings scheduled in 1987 by the House Subcommittee on Immigration, Refugees, and International Law will likely address these proposals and issues.

Empirically, a number of facts stand out from the foregoing analysis:

1. The number of preference applications has grown continually since enactment of the 1965 Act. In 1979, for example, there were roughly 200,000 applicants, growing to nearly 700,000 by 1982 and

to 1.1 million active sibling applications in 1986. Including inactive files there were roughly 1.4 million applicants awaiting a fifth preference visa for admission to the United States as of January 1986. Fifth preference registrations have, at the same time, increased as a proportion of the total backlog rising from roughly 30 percent in 1979, to 60 percent in 1982, and to 64 percent by 1986. The current fifth preference waiting list therefore constitutes a substantial share of the waiting list for immigrant visas.

2. Although the absolute number of fifth preference registrations has grown sharply since 1965, the rate of increase in such applications has decreased in recent years. Thus, while such applications increased at a rate of nearly 200 percent from 1979 to 1981, the rate of increase for the period of 1982 to 1985 was only 66 percent; roughly comparable to the rate of increase for total active visa demand. In absolute terms, there were roughly 450,000 fifth preference applications in both time periods. Thus, there may be a relative slackening in the demand, or petitioning, for siblings in relationship to total visa demand which could reflect the exhaustion of the potential pool or indicate that fewer individuals wish to wait so long for an immigrant visa.

3. The number of immediate relatives has increased slightly from 1979 to 1985, increasing from 143,000 to 204,000 or from 31 to 36 percent of total admissions. The number of family members accompanying fifth preference principal admissions has also risen slightly from 30,000 in 1970 to 45,000 by 1985. The latter admissions were 58 percent of total fifth preference admissions in 1970, 56 percent in 1975, and 64 percent by 1985.

4. There is a pronounced concentration of fifth preference backlogs in only 10 countries. Out of the total worldwide fifth preference waiting list in 1986 of 1.2 million, 63 percent (or 881,000) was concentrated in eight Asian countries as well as Mexico and Jamaica. Roughly half of the backlog is concentrated in just four countries: the Philippines, India, Korea, and Mexico.

5. In addition to the concentration of backlogs, there is also substantial variation among countries in the proportion of their backlogged visas in fifth preference, ranging from 32 percent for Mexico to over 90 percent for India.

6. There are relatively large numbers of visa applicants who fail to take immediate advantage of their petition and whose files lapse into inactivity. Roughly 200,000 visa petitions became inactive in both 1982 and 1986 representing 24 and 14 percent of the total active and inactive backlog. There were very high levels of inactivity in two traditionally high volume fifth preference countries, with inactivity rates of 77 percent for Italy and 57 percent for Greece in 1986. Again, there are important variations in the level of inactivity by country which are partly influenced by the refugee status of individual countries.

7. There is also a relatively high level of variation in the demographic characteristics of fifth preference principal admissions, with relatively sharp, recent increases in the average age and proportion of immigrants who are married. Siblings admitted into the United States in 1985, for example, were both older than previous cohorts of sibling admissions as well as substantially older than the native-born U.S. population. The average age for admissions from

most Asian countries is 40 years while the median for China and the Philippines is roughly 46 years of age.

As siblings age on the waiting list, they also are more likely to become married. Nearly 70 percent of all admissions through fifth preference were married in 1985. The marriage rate for most of the high volume backlog countries were nearly 80 percent. As the registry date for fifth preference recedes, it can be expected that the age and marriage rate of siblings will increase, with increasing probabilities of death, divorce, and disinterest in emigration to the United States.

8. A not insignificant proportion of fifth preference petitions are from countries from which the United States has recently accepted large or increasing numbers of refugees or asylees. Countries such as Cuba, Vietnam, Iran, and Nicaragua all have substantial numbers of fifth preference applications and admissions. That is, some proportion of the demand for immigrant visas is the direct result of foreign policy decisions under the Refugee Act of 1980.

9. The rate of chain migration, or the visa multiplier, is apparently substantially lower in fifth preference than previously supposed. Crude estimates by the Select Commission on Immigration and Refugee Policy substantially overstated actual or potential multipliers. The best state-of-the-art demographic analysis indicates that for every two female citizens only one additional sibling was sponsored or admitted over a 10-year period. For each male an additional seven-tenths of an additional sibling arrived in the decade from 1971 to 1981.

Such calculations are, however, quite speculative given the lack of information about the basic demographic features of immigration from most countries, as well as the absence of current data on rates of naturalization, sponsorship, and emigration. If waiting times and more current marriage rates were included the rate could be reduced due to extensive delays in high volume countries. Currently, the best estimate of chain migration suggests that it has been a relatively unimportant component of total legal immigration into the United States.

10. The relatively primitive state of data collection efforts on legal immigration makes it inappropriate to offer predictions or forecasts of future flows of immigrants. There are no well-tested predictive tools to determine what combination of push and pull, economic and personal factors will stimulate what level of emigration or petitioning. Policy makers thus have relatively little information to use in establishing whether proposed or alternative preference systems will significantly harm or aid U.S. domestic economic, immigration, refugee, or population policies. Research currently being sponsored by INS as well as by private foundations, in conjunction with improved data gathering, handling and reporting procedures at INS and the Visa Office, may provide a clearer view of the effectiveness of reforms of U.S. immigrant admissions policies.

OBSERVATIONS

Due to the relatively narrow focus of this analysis, it is neither possible nor appropriate to conclude with a systematic set of obser-

vations and recommendations. Indeed many of the most plausible and reasonable recommendations have been proposed by the Select Commission on Immigration. There are, nonetheless, a number of issues which warrant additional comment or observation. These comments are not intended as a definitive assessment of concerns regarding the fifth preference but rather as a loosely related set of topics which warrant further investigation or research.

- Decisions regarding what types of immigrants the U.S. needs or should admit will inevitably involve political choices which are far more fractious than deciding whether siblings should receive zero, 10, or 50 percent of all family reunification visas. Debate over whether or not the United States can absorb more immigrants, whether there is a genuine need for foreign workers to fill specific jobs, and how far the net of family ties extends will be central political issues determining the relative proportions assigned to preference categories. Legislative and demographic analyses of preference system operations will be ancillary to this broader policy discussion.

- The decades old drumbeat of restrictionist sentiments will be more clearly heard, and of greater political salience, if it is not counterbalanced by plausible evidence on the economic and social adjustment and contributions of recent immigrants. Such evidence has been presented at recent congressional hearings and research continues to offer important insights. (Chiswick 1981: 311; Stacy and Lutton 1985; Oser 1986; Cohen 1986; Wattenberg 1986; Harwood 1986; Solis 1986; Massey 1986; Wong 1986, King, Lowell and Bean 1986.) Such arguments can, however, be unproductive since few immigrant cohorts experience similar economic and social conditions nor have identical aspirations and needs.

Arguments that the U.S. "needs" some level of immigration in order to prevent negative population growth offer a conceptually useful but politically antiseptic response to restrictionist concerns, lacking a clear constituency and time horizon. The well-noted absence of a U.S. population policy makes it impossible to assert that a legitimate, certified demographic need exists which justifies continued or even expanded immigration. Without national population or immigrant adjustment policies, or a means to predict population deficits, it is impossible to counterbalance restrictionists fears about "too many" with convincing social science evidence that there are "too few" native workers.

The absence of a carefully reasoned debate between advocates of such perspectives prevents drawing any conclusions about tradeoffs and policy suggestions. Such issues will continue to be argued in the press and by policy makers. (Cafferty, et.al. 1983: 181-193; Di-Marzio and Papademetriou 1986; National Issues Forum 1986; Espenshade 1986; Wong 1986; Bouvier and Gardner 1986.)³³ Such debates may be of considerable importance in determining popular

³³ The issue of how many immigrants the United States can absorb, or tolerate, is a frequent topic of speculation and debate. Reimers (1985: 250) argues, without documentation, that "the United States can probably absorb the current rate of immigration, about 550,000 annually, without excessive negative economic effects . . . That half million is not the net figure, for many return home." Others (Higham 1986) have testified that up to one million immigrants would not be unreasonable.

and political support for more or fewer labor visas as well as for higher or lower numerical ceilings on legal immigration.

● Immigrant admissions policy will also be subject to ongoing uncertainties associated with the unpredictable level of amnesty or legalization resulting from 1986 reforms. Due to the uncertainties surrounding passage of the Immigration Reform and Control Act of 1986 (Johnston 1986; Chavez 1986; Thornton 1986b) it is reasonable to predict that many illegal aliens will wait until the last moment before applying for amnesty in order to see if any major negative results occur for early immigrants. Another group of illegals will fail to legalize for the same reasons that many resident aliens fail to naturalize. If employer sanctions are seen to be effective there will be a strong incentive to legalize, but such sanctions may not have their clearest impact until after the year long application period for legalization has ended. A vigorous and well-publicized employer sanctions effort will likely increase the incentives to legalize. Half-hearted or poorly funded efforts at legalization and sanctions are likely to significantly reduce the demand for legalization and subsequent preference petitions.

Recent newspaper accounts (Pear 1987; Reinhold 1987) suggest that employer sanctions may reduce the available pool of unskilled construction and restaurant workers leading to possible short-term pressures for a more flexible allocation of labor visas. It is unclear at this point, and an issue in need of immediate research, whether the departure of illegal aliens from the United States will result in labor shortages, higher wages for American workers, or other industry specific adjustments that may prompt proposals for preference system "tinkering."

The legalization of 2 to 5 million new, numerically exempt aliens clearly constitutes a major social experiment in urgent need of effective monitoring and evaluation. The need for proper research extends to the impact of legalization on non-legalized dependent spouses and children.

● Immigration policy has evolved slowly with an apparent consensus as to who is and who is not part of an immigrant's "family." Included as essential members, exempt from numerical quotas or ceilings, are spouses, children, and since 1965, parents of adult citizens. Excluded from family reunification provisions so far are grandparents, nieces, nephews, cousins, or other more distant relations. Numerically restricted and rank ordered selection categories, or preferences, are assigned to other close family members including unmarried children of citizens and aliens followed by married children of citizens. Siblings have always been a relatively low-level priority—in fourth or fifth place—but allocated a fairly large proportion of visas in 1965 in a decision many felt would be quickly revamped.

The Select Commission on Immigration and Congressional hearings in 1981 to 1983 were an occasion to rethink the priorities and proportions somewhat arbitrarily assigned in 1965. They attempted to tilt the selection system back towards a greater emphasis on meeting U.S. labor needs, with proposals to reduce allocations to siblings. Whatever realignment appears appropriate it will allocate a limited number of openings, or visas, to a massive pool of interested applicants. Any redesigned preference system will, in its

wake, generate new sets of pressures and backlogs which will need to be reexamined within a short period of time.

- Congress in 1965 expected that their new preference structure would eliminate all backlogs within 3 years. Lacking adequate data or policy analysis they failed, however, to anticipate the rapid increase in visa demand from Eastern Hemisphere countries and for siblings from the Western and Eastern Hemispheres. Congress should, therefore, acknowledge that without the needed crystal ball—or adequate data—short term changes will be as necessary several years from now as they were several years after the passage of the 1965 Act.

- There is no ideal, permanent system for the selection of legal immigrants which will operate without fault under all circumstances for the foreseeable future. Foreign and domestic policy concerns for assisting different countries, or types of individuals, at different times will prompt major to minor revisions in preference allocations. Congress has, however, waited extremely long periods of time before changing the immigrant preference system. Such legislative inaction would be more reasonable if Congress have not stripped executive branch agencies of virtually all decision making ability in 1965.

- Recommendations for increased administrative flexibility have been made for many years and in great detail by the Select Commission. It is recognized that preference categories quickly develop advocates making it difficult to introduce adjustments prior to a major implosion of legislative or popular concern. While it may be very difficult to turn such a massive policy instrument as immigrant admissions in the face of entrenched foreign and domestic pressures, it is essential that Congress establish some means to rectify inevitable imbalances in preference allocations without waiting another two decades.

- A key issue in the legislative reform of the current preference system is, therefore, a decision to restore an increased level of control over immigrant admissions to the Departments of State and Justice or to an independent immigration panel. No precedent for a deliberate reduction in congressional control comes to mind, but such action appears essential in order to reduce inequities or inefficiencies in immigrant admissions. Allowing the executive branch to make minor trade-offs in preference category percentages within each track might solve some fluctuations in demand. However, with all preference numbers currently being used, there will be little opportunity for short-term tradeoffs.

Only a longer-term role for executive branch flexibility, or more rapid congressional responsiveness, appear likely to reduce variations in backlogs, oversubscriptions, and pressures for more or fewer of certain types of immigrants. Recently enacted requirements for triennial comprehensive reports to Congress on legal immigration provide one means to shape more prompt reforms, if such reports contain the data needed to detect and remedy allocation inefficiencies and policy problems.

- The United States has remained a relatively constant immigration magnet leading to backlogs in most categories with the prospect that current fifth preference waiting lists will not be eliminated until the next century. A major impetus for the reform

of the system of preferences appears to be the burgeoning backlogs which currently exist in second and fifth preference as well as the absence of visas for nonpreference admissions. Such backlogs are, however, not entirely "real" both because individuals drop off the list without notifying anyone and because those who are most impatient probably enter the U.S. illegally or by using a nonimmigrant visa. Without more information about who is really waiting, why people drop out or become inactive, and how many immigrant applicants obtain nonimmigrant visas it is a mistake to take backlog numbers at face value.

- The presence of large numbers of inactive visas suggests that backlogged "active" immigrant files also include applicants who will not make use of their petition. Since waiting lists for certain visa categories and countries are several years old, it is reasonable to predict a nonresponse or inactivity rate among current active visa registrants of from 5 to 15 percent. It would seem appropriate for Consular Posts with lengthy waiting lists to "purge" these lists in order to verify the intention to emigrate to the United States. Such purging could be done in high volume posts on a sample basis in order to calculate a more realistic estimate of the size and duration of backlogs. Such periodic purging need not, of course, result in the cancellation or withdrawal of the "unwanted" visa petitions but will allow Congress to more accurately assess the level of actual, active demand for immigration. Too many visas are left unused to continue to treat lists of active registrants as a valid measure of future immigration.

- Another policy observation of relevance in the redesign of immigrant admissions policy is that there is considerable variation by country in the characteristics of immigration. The demographic characteristics of immigrants and applicants vary considerably from region to region as well as for refugees and traditional entrants. Policy makers should exercise caution in using "average" or aggregate statistics for all countries or for all preference categories. What may appear to be a worldwide problem may only be a characteristic of a handful of countries.

- A decision to limit fifth preference visas to only unmarried, or never married, siblings would dramatically reduce the level of fifth preference registrations. Such a legislative change would have the most profound impact on high volume countries such as China, the Philippines, Korea, Taiwan, and India, and less of an impact on immigrants from the Western Hemisphere and Vietnam. This change would likely reduce future fifth preference demand by roughly 50 percent given current demographic profiles. Given the perverse incentive of such a change it is reasonable to predict, however, that some percentage of potential fifth preference beneficiaries will either delay or conceal their marriages to take advantage of the "revised" preference provisions.

- It should be clear at this point that research for this paper, as well as for future deliberations, is hampered by the inadequacy of data and research on legal immigration. (Heinberg and Siegel 1986;

Levine, Hill and Warren 1985: 67-71; 143-146.)³⁴ Data gathered solely for administrative purposes at INS and at the Bureau of Consular Affairs cannot be readily adapted to respond to critical legislative and policy questions about either the current characteristics or future flows of immigrants. Despite notable improvements in the data handling capability of INS in recent years there nevertheless remain substantial areas of uncertainty regarding naturalization, sponsorship, emigration, family reunification, and immigrant adjustment. Increased attention should, therefore, be given to strengthening the research capabilities of INS including their ability to fund contract research on items of ongoing concern. Data handling and research procedures at Consular Affairs are less adequate than those at INS and warrant a major effort to increase the agency's structure and resources for research on the characteristics of active and inactive immigrant applicants.

That is the structure, resources, and commitments necessary for effective policy planning and analysis on all aspects of legal immigration are not in place. Congress bears some responsibility for this due to its concern over more immediate problems. Inevitable budgetary tradeoffs should not, however, be such that policy planning and research perennially languish in the backwash of short-term operational concerns.

- The absence of reliable evidence on the complete process of immigrant admissions and adjustment makes it impossible to describe the rates of economic, social and political assimilation of different immigrant cohorts. Immigrant selection aimed at family "reunification" may have little relationship to long-term family integration or functioning but may have considerable consequence for local labor markets and economic investments. Policy research on immigrant adjustment over a 5- to 10-year period would be of considerable value in aiding policy makers when they return to address the needs for preference system reform in the next decade.

- Emigration from the United States represents one of the largest "unknown" ingredients in understanding and predicting immigrant petitioning and naturalization. Until more is known about how many households from which countries emigrate, immigrant admissions policy is flawed by its inability to know how many people who are legally admitted will remain to become citizens and sponsor additional relatives. Immigration is a dynamic process with the executive branch and Congress focusing more intently on who gets in but with much too little attention of who is exiting. Net rather than gross additions to the immigrant population are an essential basis for calculating long-term costs and benefits of immigrant admissions procedures and reforms.

- Gathering data on a select number of high volume immigrant admission countries, using the expertise of Consular Officers and Foreign Service Nationals, would be one useful research step as

³⁴ The Division of Program Evaluation and Methodology at GAO has recently undertaken an important study examining the characteristics of legal immigrants and their sponsors over the past 10 years. Using data supplied by INS and Census, they are currently projecting future levels of immigration by preference category. Their report is scheduled for release in Summer 1987 and should be of assistance in responding to congressional concerns about current or future levels of legal immigration. (See Appendix C for a description of the "GAO Study of Immigration Flow".)

would efforts to merge data files on immigrant and nonimmigrant applicants in order to determine the prospective levels of adjustments within the United States. The development of models predicting immigrant stock and flows is another essential step in sensibly anticipating future shifts in demand for immigrant admissions. The use of the economic and demographic characteristics of countries of origin as predictors of petitioning, naturalization, and emigration is one more component which would help in understanding and modeling the substantial differences among countries and regions in rates of immigration. If it is true that higher levels of economic or political development reduce the desire to emigrate to the United States, it is reasonable to expect reduced levels of immigration over the long run from countries experiencing sustained economic growth. Such improved models or procedures for understanding the dynamics of immigration would facilitate congressional oversight of fluctuations and variations in country-wide demand for immigrant visas.

- Additional research is also needed on actual as well as projected immigration multipliers to determine whether chain migration is as low as demographers currently estimate. Until there are better and more current data, it is inappropriate to conclude that there is an "explosive" potential inherent in the current preference admissions system. Research on the multiplication of immigrants should be sensitive to the possibility that there are cyclical patterns of demand for immigration, with regional and political-economic forces constituting likely inputs into the rise and fall in patterns of demand and sponsorship.

- Overall, there appears to be a need for the administration as well as congressional committees to more carefully examine the actual operation of the system of preferences as well as proposals designed to generate a more equitable or appropriate mix of immigrants. Knowing more about the characteristics of who has been admitted and naturalized, as well as about those who leave, will greatly aid in understanding how many immigrants of what types the United States wishes to select in forthcoming proposals for legislative reform of legal immigration.

The United States immigrant admissions system has, therefore, evolved fitfully over seven decades with only two major legislative overhauls, in 1952 and 1965. Legislative reforms occurred in response to a number of internal and external crises involving such issues as national origins discrimination, hemispheric exemptions, farm workers, displaced persons, illegal aliens, and restrictionist pressures. Legislative and policy concerns over the immigrant admissions system have been ancillary to debate over these larger issues. The preference system has then emerged as a legislative step-child; a relatively unexamined technique to address larger policy concerns.

This paper does not duplicate or repeat the advice and recommendations which resulted from previous investigations but, rather, assumes that the Select Commission in conjunction with recent congressional hearings have provided reasonable advice for the reform of immigrant admissions categories. The paper, however, introduces evidence that recent concerns over massive fifth

preference backlogs may be exaggerated, and suggests that a balanced assessment of recent evidence indicates that the fifth preference is functioning largely as it was intended. It serves as a low-level admission priority attracting additional family members but requires that they wait in relatively long lines in order to obtain the benefit of an immigrant visa. Potential beneficiaries often do wait the necessary years but some reject visa applications for reasons plausibly tied to their increasing age and the decreasing priority of uprooting their families.

REFERENCES

- Arizpe, Lourdes. 1981. "The Rural Exodus in Mexico and Mexican Migration to the United States." *International Migration Review* 15 (Winter): 626-649.
- Auerbach, Frank L. 1963. *Immigration Laws of the United States*. Indianapolis: The Bobbs-Merrill Company.
- Bean, Frank, Ruth Cullen and Elizabeth Stephen. 1984. "Immigration to the United States: Its Volume, Determinants, and Labor Market Implications." Washington, D.C.: Office of Technology Assessment.
- Bean, Frank, Wolfgang Opitz and Elizabeth Stephen. 1984. "Projections of Net Annual Legal and Illegal Immigration to the United States under Alternative Assumptions About Immigration Policy: 1982-2005." Washington, D.C.: Office of Technology Assessment.
- Bean, Frank and Elizabeth Stephen. 1986. "The Effect of Disruption on the Fertility of Immigrant Mexican Women in the United States." Paper presented to the Annual Meetings of the American Sociological Association, September, New York.
- Benn, D.G. 1965. "The New U.S.A. Immigration Law." *International Migration*. 33(3):99-107.
- Bouvier, Leon and Robert W. Gardner. 1986. "Immigration to the U.S.: The Unfinished Story." *Population Bulletin*. 41 (November): 1-50.
- Briggs, Vernon. 1985. "Employment Trends and Contemporary Immigration Policy." Pp. 135-160 in Nathan Glazer (ed.) *Clamor at the Gates: The New American Immigration*. San Francisco: ICS Press.
- Cafferty, Pastora, B. Chiswick, A. Greeley, and T. Sullivan. 1983. *The Dilemma of American Immigration: Beyond The Golden Door*. New Brunswick, N.J.: Transaction Books.
- Chavez, Lydia. 1986. "Illegal Aliens Weighing Impact of New U.S. Law." *The New York Times* (November 2): 42.
- Chiswick, Barry. 1981. "Guidelines for the Reform of Immigration Policy." Pg. 309-347 in William Fellner (ed.) *Essays in Contemporary Economic Problems: Demand, Productivity and Population*. Washington, D.C.: American Enterprise Institute.
- Chiswick, Barry. 1983. "An Alternative Approach to Immigration Policy: Rationing by Skill." *Population Research and Policy Review*. 2 (February) 21-33.
- Cline, Garner J. 1987. "Personal Interview" (February 26).
- Cohen, Richard. 1986. "English Will Only Get Better." *The Washington Post*. (November 5): A21.
- Congressional Research Service. 1979. "U.S. Immigration Law and Policy: 1952-1979." Report prepared for the Senate Committee on the Judiciary. (May). Washington, D.C.: GPO.
- Cornelius, Wayne and Ricardo A. Montoya. (eds.) 1983. *America's New Immigration Law: Origins, Rationales, and Potential Consequences*. LaJolla, California: Monograph Series 11. Center for U.S.-Mexican Studies, University of California, San Diego.
- Couch, Stephen. 1979. "Quantitative Immigration Data, Scientific Knowledge and Public Policy." Pp. 259-290 in S. Couch and Roy Bryce-Laporte (eds.) *Quantitative Data and Immigration Research*. Research notes No. 2. Washington, D.C.: Research Institute on Immigration and Ethnic Studies.
- DeJong, Gordon, Brenda Root and Ricardo Abad. 1986. "Family Reunification and Philippine Migration to the United States: The Immigrant's Perspective." Working Paper No. 1986-10 (March). Population Issues Research Center. University Park: The Pennsylvania State University.
- DiMarzio, Nicholas and Demetrios Papademetriou. 1986. "Legalization: The Right Thing To Do." Washington, D.C.: Migration and Refugee Services.

- Divine, Robert A. 1972. *American Immigration Policy, 1924-1952*. New York: DaCapo Press.
- Dorn, Harold. 1956. "Pitfalls in Population Forecasts and Projections." Pp. 69-90 in Joseph Spengler and Otis D. Duncan. (eds.) *Demographic Analysis: Selected Readings*. Glencoe, Ill.: The Free Press.
- Espenshade, Thomas. 1986. "Why the United States Needs Immigrants." PDS-86-2. (August) Washington, D.C.: the Urban Institute.
- Feighan, Michael. 1957. "Selective Immigration Board." *Congressional Record-House*. (July 1): 10735-10736.
- Feighan, Michael. 1964. "H.R. 12305—Its Purpose." *Congressional Record-House*. (August 12): 19250-19251.
- Feighan, Michael. 1965. "Selective Immigration System with Qualitative and Quantitative Controls." *Congressional Record-House*. (June 1): 12087-12093.
- Fragomen, Austin. 1981. "The Final Report and Recommendations of the Select Commission on Immigration and Refugee Policy: A Summary." *International Migration Review*. 15 (Winter): 758-768.
- Fuchs, Lawrence. 1983. "Immigration Reform in 1911 and 1981: The Role of Select Commissions." *Journal of American Ethnic History*. 3 (Fall): 58-89.
- Fuchs, Lawrence. 1984. "Cultural Pluralism and the Future of American Unity: The Impact of Illegal Aliens." *International Migration Review*. 15 (Fall): 800-813.
- Fuchs, Lawrence. 1985. "The Search for a Sound Immigration Policy: A Personal View." Pp. 17-48 in Nathan Glazer (ed.) *Clamor at the Gates: The New American Immigration*. San Francisco: ICS Press.
- Gardner, Robert, Bryant Robey, and Peter Smith. 1985. "Asian Americans: Growth, Change, and Diversity." *Population Bulletin*. 40 (October): 1-43.
- Goldstein Sidney and Alice Goldstein. 1984. "Inter-relations Between Migration and Fertility. Their Significance for Urbanization in Malaysia." *Habitat International* 8: 93-103.
- Gordon, Charles and Harry Rosenfield. 1986. *Immigration Law and Procedures*. New York: Mathew Bender.
- Greenwood, Michael and John McDowell. 1982. "The Supply of Immigrants to the United States." Pp. 54-85 in Barry Chiswick (ed.) *The Gateway: U.S. Immigration Issues and Policies*. Washington, D.C.: American Enterprise Institute.
- Greenwood, Michael and John McDowell. 1985. "U.S. Immigration Reform: Policy Issues." *Contemporary Policy Issues*. III (Spring): 59-75.
- Greenwood, Michael and John McDowell. 1986. "A Model of U.S. Immigrant Supply." ECN 85/86-1. Faculty Working Paper. College of Business. Temple, Arizona: Arizona State university.
- Guarak, Douglas. 1978. "Sources of Ethnic Fertility Differences: An Examination of Five Minority Groups." *Social Science Quarterly*. 59 (September): 295-310.
- Harwood, Edwin. 1985. "How Should We Enforce Immigration Law?" in Nathan Glazer (ed.) *Clamor at the Gates: The New American Immigration* San Francisco: ICS Press.
- Harwood, Edwin. 1986. "American Public Opinion and U.S. Immigration Policy" *The Annals*. 487 (September): 201-212.
- Heinberg, John and Cynthia Siegel. 1986. "Design Paper: Estimating the Future Flow of Legal Immigrants to the United States." (March 11). Program Evaluation and Methodology Division. Washington, D.C. GAO.
- Higham, John. 1984. *Send These to Me: Immigrants in Urban America*. Baltimore. The Johns Hopkins University Press.
- Higham, John. 1986. "Testimony" before the House Subcommittee on Immigration, Refugees, and International Law." July 30.
- Hutchinson, E.P. 1981. *Legislative History of American Immigration: 1798-1965*. Philadelphia: University of Pennsylvania Press.
- Jasso, Guillermina and Mark Rosenzweig. 1982. "Estimating the Emigration Rates of Legal Immigrants Using Administrative and Survey Data: The 1971 Cohort of Immigrants to the United States." *Demography*. 19 (August): 279-290.
- Jasso, Guillermina and Mark Rosenzweig. 1986. "Family Reunification and the Immigration Multiplier: U.S. Immigration Law, Origin Country Conditions, and the Reproduction of Immigrants." *Demography*. 23 (August): 291-311.
- Johnston, William. 1986. "The Immigration Bill will Accomplish Nothing." *The Washington Post*. (November 4): A19.
- Kaplan, Edward. 1984. "Managing The Demand for Public Housing." Technical Report No. 183. (June). Cambridge: M.I.T.
- Keane, John G. 1985. "Statement on the Demographic Impact on Immigration on the United States." Pp. 9-40 in House Subcommittee Hearing on Census and Population. (March 19) Serial No. 99-8. Washington, D.C.: GPO.

Keely, Charles and Ellen Kraly. 1978. "Recent Net Alien Immigration to the United States: Its Impact on Population Growth and Fertility." *Demography*. 15 (August): 267-283.

Keely, Charles. 1980. "Family Reunification." Pp. 47-54 in Appendix D. Select Commission on Immigration and Refugee Policy. *U.S. Immigration Policy and the National Interest*. Washington, D.C.: GPO.

Keely, Charles. 1983. "Current Status of U.S. Immigration and Refugee Policy." Pp. 339-359 in Mary Kritz (ed.) *U.S. Immigration and Refugee Policy*. Lexington: Lexington Books.

Kennedy, Edward. 1966. "The Immigration Act of 1965." *The Annals*. 367 (September): 137-149.

Kennedy, Edward. 1986. "Legal Immigration Reform Act of 1986." *Congressional Record—Senate*. (August 15): S-11937-1140.

King, Allen, B. L. Lowell and Frank Bean. 1986. "The Effects of Hispanic Immigrants on the Earnings of Native Hispanic Americans." *Social Science Quarterly*. 87 (December): 674-689.

Kraly, Ellen P. 1979. "Sources of Data for the Study of U.S. Immigration." Pp. 34-35 in Stephen Couch and Roy Bryce-Laporte (eds.). *Quantitative Data and Immigration Research*. Research notes No. 2. Washington, D.C.: Research Institute on Immigration and Ethnic Studies.

Lamb, Richard and Gary Imhoff. 1985. *The Immigration Time Bomb: The Fragmenting of America*. New York: E.P. Dutton.

Levine, Daniel, Kenneth Hall, and Robert Warren. 1985. *Immigration Statistics: A Story of Neglect*. Washington, D.C.: National Academy Press.

Macklin, Eleanor and Roger Rubin. 1983. *Contemporary Families and Alternative Lifestyles*. Beverly Hills: Sage.

Maingot, Anthony. 1983. "Ideology, Politics, and Citizenship in the American Debate on Immigration Policy: Beyond Consensus." Pp. 361-379 in Mary Kritz (ed.) *U.S. Immigration and Refugee Policy*. Lexington: Lexington Books.

Masanz, Sharon. 1982. "Preferred Immigrant Admission Status for Brothers and Sisters of U.S. Citizens." Congressional Research Service (March 26). Washington, D.C.: Library of Congress.

Massey, Douglas. 1986. "The Settlement Process Among Mexican Immigrants to the United States." *American Sociological Review*. 51 (October): 670-684.

Massey, Douglas. 1986a. "The Social Organization of Mexican Migration to the United States." *The Annals*. 487 (September): 102-113.

Miller, Harris. 1985. "The Right Thing to Do: A History of Simpson-Mazzoli." Pp. 49-71 in Nathan Glazer (ed.) *Clamor at the Gates: The New American Immigration*. San Francisco: ICS Press.

Miroff, Bruce. 1981. "Presidential Leverage Over Social Movements: The Johnson White House and Civil Rights." *Journal of Politics*. 43 (February): 2-23.

Mondschean, Thomas. 1986. "Estimating the Probability of Emigration from Individual-Specific Data: The Case of Italy in the Early Twentieth Century." *International Migration Review*. 20 (Spring): 69-80.

Nahan, John. 1985. "Statement Concerning the National Academy of Sciences Report. Immigration Statistics: A Story of Neglect." House Subcommittee on Census and Population. (October 10).

Nahan, John. 1986. "Letter to Jane Menken, President of the Population Association of America, including an Implementation Status Report—December 1985." Personal Communication. (January 10.)

National Issues Form. 1986. *Immigration: What We Promised, Where to Draw the Line*. Dayton, Ohio: Public Agenda Foundation.

Notestein, Frank. 1956. "The Population of the World in the Year 2,000." Pp. 34-43 in Joseph Spengler and Otis D. Duncan (eds.). *Demographic Analysis: Selected Readings*. Glencoe, Ill.: The Free Press.

Oser, Alan. 1986. "Asian-American Projects Aid Downtown Flushing." *New York Times*. (November 7): A33.

Pear, Robert. 1986. "Rodino Delays Immigration Bill to Seek Compromise on Farm Issue." *New York Times*. (May 2): A18.

Pear, Robert. 1986a. "Bid to Reconsider Alien Bill Blocked." *New York Times*. (October 2): A17.

Pear, Robert. 1986b. "U.S. Wants to Enhance Enforcement on Aliens." *New York Times*. (May 25): A18.

Pear, Robert. 1987. "Canada a Refuge for Illegal Aliens." *New York Times*. (February 8): A1.

Potter, Joseph E. 1986. "Explanations of Fertility Decline in Latin America." *Items*. 40 (June): 31-36.

- Reimers, David. 1982. "Recent Immigration Policy: An Analysis." Pp. 13-53 in Barry Chiswick (ed.). *The Gateway: U.S. Immigration Issues and Policies*. Washington, D.C.: American Enterprise Institute.
- Reimers, David. 1983. "An Unintended Reform: The 1965 Immigration Act and Third World Immigration to the United States." *Journal of American Ethnic History*. 3 (Fall): 9-28.
- Reimers, David. 1985. *Still the Golden Door: The Third World Comes to America*. New York: Columbia University Press.
- Reinhold, Robert. 1986. "Flow of 3rd World Immigrants Alters Weave of U.S. Society." *New York Times*. (June 30): A1.
- Reinhold, Robert. 1987. "New U.S. Law Appears to Deter Aliens." *New York Times*. (February 20): A1.
- Rodino, Peter. 1968. "Immigration Must Not Be Denied to Any Country." *Congressional Record-House*. (April 29): 10956-10957.
- Rosenzweig, Mark. 1986. "Personal Communications." November 2; November 5; November 17.
- Rumbaut, Ruben and John Weeks. 1986. "Fertility and Adaptation: Indochinese Refugees in the United States." *International Migration Review*. 20 (Summer): 428-466.
- Schlei, Norbert A. 1986. "Personal Interview." (October 27).
- Schlei, Norbert A. 1987. "Personal Interview." (February 20).
- Schmidt, Ann. 1986. "Learn English, Lamm tells Aliens." *Denver Post*. (May 30): 1.
- Schulz, David. 1972. *The Changing Family: Its Function and Future*. Englewood Cliffs: Prentice Hall.
- Schwartz, Abba P. 1968. *The Open Society*. New York: William Morrow.
- Schwartz, Abba P. 1986. "Personal Interview." (September 17).
- SCIRP. 1981a. *U.S. Immigration Policy and the National Interest*. The Final Report and Recommendations of the Select Commission on Immigration and Refugee Policy to the Congress and the President of the United States. (March 1). Washington, D.C.: GPO.
- SCIRP. 1981b. *U.S. Immigration Policy and the National Interest. Staff Report*. Supplement to the Final Report and Recommendations. (April 30). Washington, D.C.: GPO.
- SCIRP. 1981c. "Public Affairs Analysis—Immigration Goals and Structure: Cap vs. Target." Appendix H to the Staff Report. (April). Washington, D.C.: GPO.
- SCIRP. 1981d. "Family Reunification." Pp. 47-54 in Appendix D to the Staff Report. (April). Washington, D.C.: GPO.
- SCIRP. 1981e. "Integration of Mexican Immigrants into the United States Political System." Pp. 445-488 in Appendix D to the Staff Report. (April). Washington, D.C.: GPO.
- Seward, Rudy. 1978. *The American Family: A Demographic History*. Beverly Hills: Sage.
- Simpson, Alan K. 1984. "The Politics of U.S. Immigration Reform." *International Migration Review*. 18 (Fall): 486-504.
- Solis, Dianna. 1986. "Their Ranks Eroded, Unions Try to Recruit Illegal Aliens." *The Wall Street Journal*. (October 15): 1.
- Siegel, Jacob. 1979. "Prospective Trends in the Size and Structure of the Elderly Population, Impact of Mortality Trends, and Some Implications." *Current Population Reports*. Special Studies Series P-23, No. 78. Washington, D.C.: Bureau of the Census.
- Spevacek, Jennifer. 1986. "Time's Running Out on Immigration Bill." *The Washington Times*. (July 21): 5A.
- Stacy, G. Palmer and Wayne Lutton. 1985. *The Immigration Time Bomb*. Monterey, Virginia: The American Immigration Control Foundation.
- Staff Report. 1979. "Interagency Task Force on Immigration Policy." (March). Washington, D.C.: U.S. Departments of Justice, Labor, and State.
- Stern, William. 1975. *H.R. 2580, The Immigration and Nationality Amendments of 1965.—A Case Study*. Unpublished Doctoral Dissertation. School of Education, Health, Nursing, and Arts Professions. New York: New York University.
- Taylor, J. Edward. 1986. "U.S. Immigration Policy, the Mexican Village Economy, and Agricultural Labor Markets in California." Washington, D.C.: The Urban Institute.
- Teitelbaum, Michael. 1980. "Right Versus Right: Immigration and Refugee Policy in the United States." *Foreign Affairs*. 59 (November): 21-59.
- Tomasi, S.M. and C. Kelly. 1975. *Whom We Have Welcomed? The Adequacy and Quality of United States Immigration Data for Policy Analysis and Evaluation*. New York: Center for Migration Studies.

Thornton, Mary. 1986a. "Simpson: The 'Anglo' Behind the Immigration Bill." *The Washington Post*. (October 19): A8-A9.

Thornton, Mary. 1986b. "Aliens Law to Change Nation, Experts Say." *The Washington Post* (November 28): A16.

U.S. Bureau of the Census. 1984. "Projections of the Population of the United States by Age, Sex, and Race: 1983 to 2080." *Current Population Reports*, Series P. 25, No. 952. Washington, D.C.: GPO.

U.S. House Committee on the Judiciary. 1965a. "Amending the Immigration and Nationality Act and For Other Purposes." Report No. 745 to accompany H.R. 2580. Washington, D.C.: GPO.

U.S. House Committee on the Judiciary. 1965b. "Immigration Hearing on H.R. 2580." Subcommittee No. 1: 89th Congress. Washington, D.C.: GPO.

U.S. House Select Committee on Population. 1978. "Legal and Illegal Immigration to the United States." (December). Washington, D.C.: GPO.

U.S. Senate Committee on the Judiciary. 1950. "The Immigration and Naturalization Systems of the United States." Report No. 1515. 81st Congress. (March 29). Washington, D.C.: GPO.

U.S. Senate Committee on the Judiciary. 1952. "Revision of Immigration and Nationality Laws." Report No. 1137. 82nd Congress. Washington, D.C.: GPO.

U.S. Senate Committee on the Judiciary. 1980. "Select Readings on U.S. Immigration Law and Policy." Section on Agencies of Enforcement. Pp. 445-450. A compendium prepared for the Select Commission on Immigration and Refugee Policy. (October). Washington, D.C.: GPO.

U.S. Senate Committee on the Judiciary. 1982a. "The Preference System." Hearing before the Subcommittee on Immigration and Refugee Policy." (November 23, 1981). Washington, D.C.: GPO.

U.S. Senate Committee on the Judiciary. 1982b. "Numerical Limits on Immigration to the United States." Hearing before the Subcommittee on Immigration and Refugee Policy." (January 25, 1982). Washington, D.C.: GPO.

U.S. Senate Committee on the Judiciary. 1983. "Summary of Hearings Held By the Senate Judiciary Subcommittee on Immigration and Refugee Policy, July 1981-April 1982." (April). Congressional Research Service. Washington, D.C.: GPO.

Violet, Joyce. 1980. "A Brief History of U.S. Immigration Policy," Report No. 80-223. EPW. Washington, D.C.: Congressional Research Service.

Violet Joyce. 1986. "Immigration Issues and Legislation in the 99th Congress." (March 3). EPW. Issue Brief 1B5154. Washington, D.C.: Congressional Research Service.

Wattenberg, Ben. 1986. "A Need for More Legals." *The Washington Times*. (October 23): 18.

Wong, Jan. 1986. "Bias Against Orientals Increases With Rivalry of Nation's Economies." *The Wall Street Journal*. (November 28): 1.

Wong, Morrison. 1986. "Post-1985 Asian Immigrants: Where do They Come From, Where are They Now, and Where are They Going." *The Annals*. 487 (September): 150-168.

Yu, Elena and William Liu. 1986. "Methodological Problems and Policy Implications in Vietnamese Refugee Research." *International Migration Review*. 20 (Summer): 482-501.

TABLE 1.—IMMIGRANTS ADMITTED BY SELECTED COUNTRIES OF BIRTH, MAJOR CATEGORY OF ADMISSION, AND FIFTH PREFERENCE, FISCAL YEARS 1979 AND 1985

Country or region of birth	Total	Subject to limitations					Exempt limitations			
		Total	Relative preferences	5th preference	Occupational preferences	Other	Total	Immediate relatives	Refugees and asylees	Other
All countries:										
1979										
Total	450,348	279,478	213,729	92,227	37,709	28,040	180,870	142,825	32,049	5,996
Percent	100.0	60.7	46.4	20.0	8.2	6.1	39.3	31.0	7.0	1.3
1985										
Total	570,009	264,208	213,257	70,481	50,895	56	305,801	204,368	95,040	6,393
Percent	100.0	46.4	37.4	12.4	8.9	0	53.6	35.9	16.7	1.1
Europe:										
1979										
Total	60,845	37,285	23,907	13,115	9,002	4,356	23,560	22,843	102	615
Percent	100.0	61.3	39.3	21.6	14.8	7.2	38.7	37.5	.2	1.0
1985										
Total	63,043	21,856	12,094	4,195	9,754	8	41,187	26,549	14,008	630
Percent	100.0	34.7	19.2	6.7	15.5	0	65.3	42.1	22.2	1.0
Greece:										
1979										
Total	5,090	3,223	3,003	1,685	181	39	1,867	1,827	1	39
Percent	100.0	63.3	59.0	33.1	3.6	.8	36.7	35.9	0	.8
1985										
Total	2,579	919	768	260	151	.....	1,660	1,602	32	26
Percent	100.0	35.6	29.8	10.1	5.9	.....	64.4	62.1	1.2	1.0
Italy:										
1979										
Total	6,174	4,091	3,654	2,327	427	10	2,083	2,012	1	70
Percent	100.0	66.3	59.2	37.7	6.9	.2	33.7	32.6	.0	1.1
1985										
Total	3,214	1,386	1,016	458	368	2	1,828	1,753	32	43
Percent	100.0	43.1	31.6	14.3	11.4	1	56.9	54.5	1.0	1.3
Portugal:										
1979										
Total	7,085	5,877	5,445	3,563	431	1	1,208	1,168	.....	40
Percent	100.0	82.9	76.9	50.3	6.1	0	17.1	16.5	.....	.6

1985	Total	3,781	2,769	2,444	1,423	325	1,012	977	1	34
	Percent	100.0	73.2	64.4	37.6	8.6	26.8	25.8	0	9
Other Europe	Total	42,496	24,094	11,805	5,540	7,983	4,306	17,836	100	466
	Percent	100.0	56.7	27.8	13.0	18.8	10.1	42.0	2	1.1
1985	Total	53,469	16,782	7,866	2,054	8,910	6	22,217	13,943	527
	Percent	100.0	31.4	14.7	3.8	16.7	0	41.6	26.1	1.0
Asia	Total	189,293	110,544	86,625	44,018	16,145	7,774	78,749	20,643	1,822
	Percent	100.0	58.4	45.8	23.3	8.5	4.1	41.6	10.9	1.0
1985	Total	264,691	119,447	95,158	40,345	24,248	41	81,204	62,035	2,005
	Percent	100.0	45.1	36.0	15.2	9.2	0	30.7	23.4	.8
China Mainland	Total	17,919	12,882	10,816	3,797	1,233	833	5,037	4,901	37
	Percent	100.0	71.9	60.4	21.2	6.9	4.6	28.1	27.4	2
1985	Total	24,787	17,600	15,583	7,561	2,014	3	6,384	728	75
	Percent	100.0	71.0	62.9	30.5	8.1	0	25.8	2.9	.3
Hong Kong	Total	4,119	3,056	2,468	1,162	485	103	976	27	60
	Percent	100.0	74.2	59.9	28.2	11.8	2.5	23.7	.7	1.5
1985	Total	5,171	3,411	2,698	1,129	709	4	1,594	100	66
	Percent	100.0	66.0	52.2	21.8	13.7	.1	30.8	1.9	1.3
India	Total	19,717	17,273	14,203	8,624	3,004	66	2,444	2,176	5
	Percent	100.0	87.6	72.0	43.7	15.2	3	12.4	11.0	0
1985	Total	26,026	19,016	15,719	7,926	3,296	1	6,727	41	242
	Percent	100.0	73.1	60.4	30.5	12.7	0	25.8	.2	.9

TABLE 1—IMMIGRANTS ADMITTED BY SELECTED COUNTRIES OF BIRTH, MAJOR CATEGORY OF ADMISSION, AND FIFTH PREFERENCE, FISCAL YEARS 1979 AND 1985—
Continued

Country or region of birth	Total	Subject to limitations				Exempt limitations		
		Total	Relative preferences	5th preference	Occupational preferences	Other	Total	Immediate relatives
Jordan:	Total	3,360	2,493	2,408	1,400	76	867	839
	Percent	100.0	74.2	71.7	41.7	2.3	25.8	25.0
1985:	Total	2,998	1,477	1,379	693	98	1,521	1,490
	Percent	100.0	49.3	46.0	23.1	3.3	50.7	49.7
Korea:	Total	29,248	18,169	16,440	10,376	1,599	11,079	10,657
	Percent	100.0	62.1	56.2	35.5	5.5	37.9	36.4
1985:	Total	35,253	19,495	16,813	6,948	2,677	15,758	15,288
	Percent	100.0	55.3	47.7	19.7	7.6	44.7	43.4
Lebanon:	Total	4,634	3,719	3,241	2,023	437	915	882
	Percent	100.0	80.3	69.9	43.7	9.4	19.7	19.0
1979:	Total	3,385	1,483	1,158	421	325	1,902	1,838
	Percent	100.0	43.8	34.2	12.4	9.6	56.2	54.3
Pakistan:	Total	3,967	3,202	2,736	1,568	438	765	689
	Percent	100.0	80.7	69.0	39.5	11.0	19.3	17.4
1985:	Total	5,744	3,810	3,299	1,674	506	1,934	1,785
	Percent	100.0	66.3	57.4	29.1	8.8	33.7	31.1
Philippines:	Total	41,300	19,069	15,297	4,984	3,703	22,231	21,977
	Percent	100.0	46.2	37.0	12.1	8.9	53.8	53.2
1979:	Total	41,300	19,069	15,297	4,984	3,703	22,231	21,977
	Percent	100.0	46.2	37.0	12.1	8.9	53.8	53.2
1985:	Total	41,300	19,069	15,297	4,984	3,703	22,231	21,977
	Percent	100.0	46.2	37.0	12.1	8.9	53.8	53.2

TABLE 1.—IMMIGRANTS ADMITTED BY SELECTED COUNTRIES OF BIRTH, MAJOR CATEGORY OF ADMISSION, AND FIFTH PREFERENCE, FISCAL YEARS 1979 AND 1985—
Continued

Country or region of birth	Total	Subject to limitations				Exempt limitations				
		Total	Relative preferences	5th preference	Occupational preferences	Other	Total	Immediate relatives	Refugees and asylees	Other
North America (excluding Central America):										
1979:										
Total.....	140,032	84,153	64,554	18,324	7,587	12,012	55,879	41,680	11,239	2,960
Percent.....	100.0	60.1	46.1	13.1	5.4	8.6	39.9	29.8	8.0	2.1
1985:										
Total.....	155,743	76,836	68,548	15,531	8,287	1	78,907	60,905	15,111	2,891
Percent.....	100.0	49.3	44.0	10.0	5.3	0	50.7	39.1	9.7	1.9
Mexico:										
1979:										
Total.....	52,096	24,207	16,083	4,514	1,230	6,894	27,889	25,736	13	2,140
Percent.....	100.0	46.5	30.9	8.7	2.4	13.2	53.5	49.4	0	4.1
1985:										
Total.....	61,077	20,633	17,936	4,785	2,697		40,444	38,462	18	1,964
Percent.....	100.0	33.8	29.4	7.8	4.4		66.2	63.0	0	3.2
Jamaica:										
1979:										
Total.....	19,714	16,673	14,674	4,883	647	1,352	3,041	2,911		130
Percent.....	100.0	84.6	74.4	24.8	3.3	6.9	15.4	14.8		7
1985:										
Total.....	18,923	14,599	13,234	2,842	1,364	1	4,324	4,187		137
Percent.....	100.0	77.1	69.9	15.0	7.2	0	22.9	22.1		7
Other North America:										
1979:										
Total.....	140,032	84,153	64,554	18,324	7,587	12,012	55,879	41,690	11,239	2,960
Percent.....	100.0	60.1	46.1	13.1	5.4	8.6	39.9	29.8	8.0	2.1
1985:										
Total.....	155,743	76,836	68,548	15,531	8,287	1	78,907	60,905	15,111	2,891
Percent.....	100.0	49.3	44.0	10.0	5.3	0	50.7	39.1	9.7	1.9
Central America:										
1979:										
Total.....	17,547	10,860	9,599	2,846	402	859	6,687	6,565	25	97

TABLE 2.—IMMIGRANT ADMISSIONS CHARGED TO BROTHERS AND SISTERS PREFERENCE CATEGORY, PLUS ACCOMPANYING SPOUSES AND CHILDREN, FISCAL YEARS 1970-85

Year	Brothers/ sisters	Accompanying spouses and children	Total
1970.....	22,182	30,097 (57.6)	52,279
1971.....	17,652	24,208 (57.8)	41,860
1972.....	18,047	23,805 (56.9)	41,852
1973.....	21,380	26,998 (55.8)	48,378
1974.....	20,920	25,739 (55.2)	46,659
1975.....	21,334	27,040 (55.9)	48,374
1976.....	24,098	28,562 (54.2)	52,660
1977.....	31,687	37,892 (54.4)	69,579
1978.....	47,332	50,122 (51.4)	97,454
1979.....	40,993	51,234 (55.6)	92,227
1980.....	39,039	51,128 (56.7)	90,167
1981.....	38,076	54,136 (58.7)	92,212
1982.....	25,802	41,124 (61.4)	66,926
1983.....	26,573	42,452 (51.5)	69,025
1984.....	29,287	48,478 (62.3)	77,765
1985.....	25,536	44,945 (63.8)	70,481
Total 1970-85.....	449,938	607,960 (57.5)	1,057,898

Source: INS Annual Reports, INS Statistical Yearbooks 1983-85, CRS.

TABLE 3.—NUMERICALLY RESTRICTED AND 5TH PREFERENCE IMMIGRANTS ADMITTED BY MEDIAN AGE AND SEX, FISCAL YEARS 1979 AND 1985

Category of admission	Total		Males		Females	
	1979	1985	1979	1985	1979	1985
Numerically restricted:						
Total.....	279,478	264,208	141,418	132,189	138,060	132,019
Median age.....	24.9	25.8	25.0	26.0	24.7	25.7
Total 5th preference:						
Total.....	92,227	70,481	47,597	35,206	44,630	35,275
Median age.....	26.5	28.6	26.5	28.2	26.6	28.8
Brothers or sisters of U.S. citizens:						
Total.....	40,993	25,536	21,833	13,156	19,160	12,380
Median age.....	34.5	39.4	33.8	39.0	35.4	39.9
Spouses of brothers or sisters of U.S. citizens:						
Total.....	16,719	14,861	7,557	6,555	9,162	8,306
Median age.....	36.9	39.6	40.3	43.2	34.3	37.3
Children of brothers or sisters of U.S. citizens:						
Total.....	34,515	30,084	18,207	15,495	16,308	14,589
Median age.....	10.9	12.6	11.1	12.6	10.8	12.6

TABLE 4.—MEDIAN AGE AND PERCENT MARRIED FOR BROTHERS AND SISTERS ADMITTED IN FISCAL YEARS 1979 AND 1985, FOR CONTINENTS AND SELECT COUNTRIES

	1979		1985	
	Median age	Percent married	Median age	Percent married
Europe.....	36.7	64.6	38.8	72.3
Greece.....	36.3	63.4	39.8	74.6
Italy.....	38.7	67.6	42.4	72.8
Portugal.....	34.0	69.6	35.2	79.2
Asia.....	33.7	61.9	40.2	77.4
China (Main).....	39.1	72.9	46.5	90.8
India.....	30.5	61.1	36.3	76.7

TABLE 4.—MEDIAN AGE AND PERCENT MARRIED FOR BROTHERS AND SISTERS ADMITTED IN FISCAL YEARS 1979 AND 1985, FOR CONTINENTS AND SELECT COUNTRIES—Continued

	1979		1985	
	Median age	Percent married	Median age	Percent married
Korea	31.7	61.6	39.6	83.5
Pakistan	32.5	61.1	34.5	63.3
Philippines	47.9	81.0	47.3	77.4
Taiwan	32.3	61.7	38.0	82.1
Vietnam	28.6	50.0	30.7	37.6
North America	36.4	49.1	38.9	57.3
Mexico	34.2	58.0	32.5	70.2
Jamaica	37.3	47.9	40.2	46.3
Central America	32.7	42.1	38.4	59.6
South America	33.6	49.6	38.4	59.8
All countries	34.5	57.0	39.4	69.6

TABLE 5.—5TH PREFERENCE IMMIGRANTS ADMITTED BY MARITAL STATUS AND MEDIAN AGE FOR SELECTED COUNTRIES OF BIRTH, FISCAL YEARS 1979 AND 1985

BROTHERS OR SISTERS OF U.S. CITIZENS

Age group	Total	Single	Married	Widowed	Divorced	Separated
All countries:						
1979:						
Total	40,993	15,492	23,376	922	1,203	.....
Median age	34.5	26.4	39.1	53.1	41.4	.....
1985:						
Total	25,536	6,238	17,776	644	738	140
Median age	39.4	30.5	41.3	54.4	43.5	42.2
Europe:						
1979:						
Total	5,436	1,529	3,511	204	192	.....
Median age	36.7	24.3	40.7	57.8	43.3	.....
1985:						
Total	1,419	286	1,026	40	56	11
Median age	38.8	29.4	40.2	54.4	46.9	47.0
Greece:						
1979:						
Total	833	268	528	20	17	.....
Median age	36.3	25.5	41.9	54.4	43.0	.....
1985:						
Total	130	24	97	1	8	.....
Median age	39.8	29.5	42.6	27.0	42.0	.....
Italy:						
1979:						
Total	958	265	648	38	7	.....
Median age	38.7	24.0	41.3	55.5	49.5	.....
1985:						
Total	180	40	131	6	1	2
Median age	42.4	32.0	44.1	50.0	50.0	34.0
Portugal:						
1979:						
Total	1,245	325	867	46	7	.....
Median age	34.0	21.6	38.1	57.0	46.0	.....
1985:						
Total	429	70	340	11	8	.....
Median age	35.2	25.5	36.4	51.0	40.0	.....

TABLE 5.—5TH PREFERENCE IMMIGRANTS ADMITTED BY MARITAL STATUS AND MEDIAN AGE FOR SELECTED COUNTRIES OF BIRTH, FISCAL YEARS 1979 AND 1985—Continued

Age group		Total	Single	Married	Widowed	Divorced	Separated
Other Europe:							
1979:							
Total		2,400	671	1,468	100	161	
Median age		37.5	25.2	41.6	60.3	43.0	
1985:							
Total		680	152	458	22	39	9
Median age		40.0	30.8	41.3	58.0	48.7	50.0
Asia:							
1979:							
Total		18,386	6,406	11,367	343	247	
Median age		33.7	25.3	38.7	51.5	39.8	
1985:							
Total		13,561	2,452	10,497	368	211	33
Median age		40.2	28.7	42.0	55.0	40.9	44.5
China, Mainland:							
1979:							
Total		1,868	437	1,362	48	21	
Median age		39.1	27.3	42.0	58.0	41.0	
1985:							
Total		2,651	128	2,406	79	32	6
Median age		46.5	35.5	46.4	60.4	49.3	52.0
Hong Kong:							
1979:							
Total		261	131	127	2	1	
Median age		28.1	18.7	40.1	50.0	50.0	
1985:							
Total		134	17	113		3	1
Median age		38.5	30.5	38.8		42.0	54.0
India:							
1979:							
Total		3,850	1,429	2,353	53	15	
Median age		30.5	25.9	34.5	47.5	33.0	
1985:							
Total		2,791	579	2,140	49	21	2
Median age		36.3	27.1	39.0	45.8	38.0	41.0
Jordan:							
1979:							
Total		620	253	355	7	5	
Median age		32.9	23.4	38.9	46.0	27.0	
1985:							
Total		314	91	210	10	3	
Median age		38.0	26.2	42.2	48.0	45.0	
Korea:							
1979:							
Total		3,922	1,357	2,417	70	78	
Median age		31.7	24.0	36.0	49.1	40.8	
1985:							
Total		2,113	231	1,765	71	45	1
Median age		39.6	27.8	40.2	52.3	41.4	38.0
Lebanon:							
1979:							
Total		809	359	436	5	9	
Median age		33.7	24.1	40.7	58.0	35.0	
1985:							
Total		146	45	93	4	4	
Median age		38.7	29.0	43.5	56.0	42.0	
Pakistan:							
1979:							
Total		846	313	517	10	6	
Median age		32.5	25.4	38.2	42.0	44.0	

TABLE 5.—5TH PREFERENCE IMMIGRANTS ADMITTED BY MARITAL STATUS AND MEDIAN AGE FOR SELECTED COUNTRIES OF BIRTH, FISCAL YEARS 1979 AND 1985—Continued

	Age group	Total	Single	Married	Widowed	Divorced	Separated
1985:							
Total		671	225	425	12	6	3
Median age		34.5	27.0	39.4	49.3	38.0	46.0
Philippines:							
1979:							
Total		1,435	203	1,163	61	8	.....
Median age		47.9	43.4	48.2	55.8	46.0	.....
1985:							
Total		1,197	195	926	60	8	8
Median age		47.3	45.2	47.1	61.0	42.0	40.0
Taiwan:							
1979:							
Total		575	208	355	2	10	.....
Median age		32.3	27.3	36.6	56.0	38.7	.....
1985:							
Total		1,156	169	949	16	21	1
Median age		38.0	30.0	39.5	51.0	35.8	34.0
Vietnam:							
1979:							
Total		385	200	177	7	1	.....
Median age		28.6	23.1	35.1	43.0	42.0	.....
1985:							
Total		571	330	215	14	11	1
Median age		30.7	26.7	36.2	46.0	34.0	54.0
Other Asia:							
1979:							
Total		3,792	1,516	2,105	78	93	.....
Median age		33.8	25.4	40.1	51.7	39.1	.....
1985:							
Total		1,817	442	1,255	53	57	10
Median age		38.9	29.8	41.6	57.3	40.2	36.0
Africa:							
1979:							
Total		1,623	642	915	28	38	.....
Median age		32.2	26.6	37.1	50.4	38.7	.....
1985:							
Total		604	143	432	19	9	1
Median age		36.7	29.0	39.1	51.1	35.0	42.0
Oceania:							
1979:							
Total		461	183	259	7	12	.....
Median age		32.5	22.3	37.8	49.0	44.0	.....
1985:							
Total		190	31	149	3	6	1
Median age		36.4	25.8	37.6	42.0	46.0	27.0
North America (excluding Central America):							
1979:							
Total		9,258	4,045	4,547	214	452	.....
Median age		36.4	29.4	40.5	56.0	43.0	.....
1985:							
Total		6,679	2,319	3,831	140	331	58
Median age		38.9	33.0	40.8	55.5	45.7	39.3
Mexico:							
1979:							
Total		1,981	731	1,150	41	59	.....
Median age		34.2	25.0	37.2	48.4	41.4	.....
1985:							
Total		1,869	490	1,313	20	35	8
Median age		32.5	22.2	35.2	41.0	35.4	29.0

TABLE 5.—5TH PREFERENCE IMMIGRANTS ADMITTED BY MARITAL STATUS AND MEDIAN AGE FOR SELECTED COUNTRIES OF BIRTH, FISCAL YEARS 1979 AND 1985—Continued

	Age group	Total	Single	Married	Widowed	Divorced	Separat- ed
Jamaica:							
1979:							
Total		2,571	1,143	1,232	61	135	
Median age		37.3	30.2	41.4	56.1	44.1	
1985:							
Total		1,396	648	647	33	47	21
Median age		40.2	35.6	43.6	50.5	47.0	44.5
Other North America:							
1979:							
Total		9,258	4,045	4,547	214	452	
Median age		36.4	29.4	40.5	56.0	43.0	
1985:							
Total		6,679	2,319	3,831	140	331	58
Median age		38.9	33.0	40.8	55.5	45.7	39.3
Central America:							
1979:							
Total		1,643	813	691	39	100	
Median age		32.7	26.8	37.9	48.3	39.3	
1985:							
Total		982	318	585	30	46	3
Median age		38.4	31.7	40.2	48.0	41.0	49.0
South America:							
1979:							
Total		4,209	1,874	2,086	87	162	
Median age		33.6	27.9	37.1	47.3	39.5	
1985:							
Total		2,101	689	1,256	44	79	33
Median age		38.4	32.9	40.0	54.5	42.5	46.3

TABLE 6.—NUMBER AND PERCENT OF ACTIVE 5TH PREFERENCE IMMIGRANT VISA APPLICANTS BY COUNTRY, AS OF JAN. 31, 1986

Country	Total visa applicants	5th preference	Percentage
Cambodia	1,788	1,336	74.7
Canada	19,790	7,121	36.0
China (Mainland)	112,843	99,498	88.2
China (Taiwan)	69,397	57,321	82.6
Cuba	25,716	18,945	73.7
Dominican Republic	37,332	14,165	37.9
Hong Kong	34,059	25,118	73.7
Greece	7,932	6,630	83.6
Haiti	18,948	10,656	56.2
India	142,734	130,678	91.5
Iran	14,796	10,013	67.7
Israel	6,299	4,113	65.3
Italy	7,724	6,260	81.0
Jamaica	52,909	29,928	56.6
Korea	134,778	117,717	87.3
Mexico	366,820	116,632	31.8
Nicaragua	8,237	5,919	71.8
Pakistan	30,234	26,874	88.9
Philippines	362,695	208,354	57.4
Portugal	16,068	14,136	88.0
Vietnam	97,539	69,060	70.8
Worldwide Total	1,903,475	1,210,656	63.6

TABLE 7.—NUMBER AND PERCENT OF 5TH PREFERENCE ACTIVE VISA APPLICANTS FOR 10 COUNTRIES WITH LARGEST BACKLOGS, AS OF JAN. 31, 1986

Country	5th preference number	Percentage of applications	5th preference applicants as percent of country's total backlog
1. Philippines	208,354	17.2	57.4
2. India	130,678	10.8	91.5
3. Korea	117,717	9.7	87.3
4. Mexico	116,632	9.6	31.8
5. China (Mainland)	99,498	8.2	88.2
6. Vietnam	69,060	5.7	70.8
7. China (Taiwan)	57,321	4.7	82.6
8. Jamaica	29,928	2.5	56.6
9. Pakistan	26,874	2.2	88.9
10. Hong Kong	25,118	2.1	73.7
Ten country total	881,180	72.8	62.7
Worldwide total, 5th preference backlog	1,210,656		

TABLE 8.—NUMBER AND PERCENTAGE INCREASE OF ACTIVE 5TH PREFERENCE IMMIGRANT VISA APPLICANTS FOR SELECT COUNTRIES AND TOTAL FOR 1979, 1982 AND 1985

Country	5th preference active applicants			Total active applicants		
	1979	1982	Percentage increase 1979-82	1979	1982	Percentage increase 1979-82
China	19,744	75,519	282.5	95,382	26.3	106.2
Taiwan ¹		28,212		49,569	75.7	
Cuba	331	14,773	4,363.1	24,487	65.8	1,286.6
Dominican Republic	1,267	7,479	490.3	13,719	83.4	36.2
Egypt	2,165	1,917	-11.5	7,303	281.0	-29.3
Greece	3,400	4,414	29.8	6,415	45.3	15.9
Haiti	1,223	3,989	226.1	3,430	-14.0	-10.2
Hong Kong	3,888	7,437	91.3	23,707	218.8	70.1
India	10,959	54,312	395.6	141,576	160.7	179.8
Iran	1,658	4,583	176.4	9,930	116.7	29.6
Israel	883	2,861	224.0	4,075	42.4	156.7
Italy	8,464	4,941	-41.6	6,701	35.6	-43.0
Jamaica	3,555	19,339	444.0	28,209	45.9	111.8
Korea	39,752	96,030	141.6	109,296	13.8	136.8
Mexico	16,374	56,854	247.2	102,265	79.9	6.1
Nicaragua	207	2,503	1,109.2	4,229	69.0	177.7
Pakistan	1,827	8,206	339.1	43,482	429.9	54.47
Philippines	72,546	171,108	135.9	199,794	16.8	145.2
Portugal	4,599	8,719	89.6	12,143	39.3	67.1
Vietnam	670	17,185	2,464.9	51,832	201.6	60.4
Total	193,512	590,381	205.1	937,544	58.8	66.8
Worldwide total of all active visa applicants	233,191	689,468	195.6	1,142,107	65.6	57.8
					1,176,983	1,777,931

¹ Prior to January 1982, Mainland Chinese and Taiwan-born immigrant applicants were combined; there was only one China chargeability by law prior to this date.

TABLE 9.—DATE OF BIRTH OF ALL ACTIVE 5TH PREFERENCE APPLICANTS FOR MANILA, MEXICO CITY, AND SEOUL, FOR PRINCIPALS AND TOTAL

	Manila			Mexico			Seoul		
	Principals	Percent	Total	Principals	Percent	Total	Principals	Percent	Total
1939-earlier.....	24,659	39.7	40,813	2,557	17.1	3,799	7,168	22.8	13,331
1940-49.....	22,220	35.8	38,465	3,893	26.1	5,915	12,274	39.2	21,911
1950-59.....	12,330	19.8	20,486	4,805	32.2	7,293	10,146	32.4	18,221
1960-69.....	2,497	4.0	25,703	3,124	20.9	8,385	1,623	5.2	5,383
1970-79.....	393	0.6	55,752	525	3.5	7,720	94	0.3	10,037
1980-86.....	34	0.05	9,769	26	0.2	1,493	26	0.08	4,247
Total.....	62,133	100	190,712	14,930	100	34,930	31,321	100	73,140

Note.—Cases with unknown date of birth are not reported.

TABLE 10.—INACTIVE 5TH PREFERENCE IMMIGRANT VISA APPLICANTS FOR SELECT COUNTRIES AS PERCENT OF TOTAL, 1982 AND 1986

Country	5th preference inactive				5th preference total (active and inactive)	
	1982		1986		1982	1986
	Number	Percentage	Number	Percentage		
China	5,567	6.9	8,765	8.4	81,086	104,147
Taiwan	190	0.7	7,932	13.8	28,402	57,501
Cuba	406	2.7	3,428	12.3	15,179	27,915
Dominican Republic	2,266	23.2	1,703	11.0	9,745	15,422
Egypt	7,130	78.8	4,821	40.0	9,047	12,124
Greece	10,060	69.5	8,519	57.0	14,474	14,934
Haiti	3,517	46.8	1,159	25.2	7,506	4,589
Hong Kong	618	7.7	1,146	4.6	8,055	24,853
India	10,865	16.7	14,226	9.1	65,177	155,802
Iran	883	16.1	1,724	14.8	5,466	11,654
Israel	1,180	29.2	1,164	22.2	4,041	5,239
Italy	33,136	87.0	22,311	76.9	38,077	29,012
Jamaica	1,474	7.1	1,191	4.1	20,813	29,400
Korea	31,689	24.8	28,785	20.8	127,719	138,081
Mexico	7,957	12.3	10,849	9.6	64,811	113,114
Nicaragua	553	18.1	980	18.8	3,056	5,209
Pakistan	1,138	12.2	2,296	5.0	9,344	45,778
Philippines	8,325	4.6	11,576	3.7	179,433	211,370
Portugal	6,663	43.3	4,618	27.5	15,382	16,761
Vietnam	32,433	65.4	626	1.2	49,618	52,458
Total	166,050	21.9	137,819	12.8	756,431	1,075,363
Worldwide total	223,229	24.4	204,626	14.5	912,707	1,415,282

APPENDIX A

FIFTH PREFERENCE SURVEY DATA NOTES (STATE DEPARTMENT, VISA OFFICE)

NOVEMBER 24, 1986.

Attached are the results of the survey conducted at Embassies Manila, Mexico, and Seoul on active fifth preference cases with the foreign state of chargeability (FSC) of their respective home countries (i.e., Philippines, Mexico, and Korea). Posts made use of a special computer program that they ran against their automated IVACS data base to obtain the data. Several points have to be made concerning the data in order to facilitate efforts to interpret them.

1. The survey looked at a sampling of the fifth preference backlogged applicants with FSC of Korea, Mexico, and the Philippines, not the respective backlogs in their entirety. There are many Koreans registered for immigration at embassies or consulates other than Seoul, and many Filipinos elsewhere than Manila. Embassy Mexico processes a minority of Mexican fifth preference cases. Nevertheless, the number of cases sampled is certainly significant.

2. The survey only looked at active cases. Cases that had not responded to Packet 3 letters within a year of sending, had not shown up for their visa interview on the day of scheduled appointment, or had been refused visas under provisions of the Immigration and Nationality Act were not included.

3. Only "host country" FSC's were included in the survey (e.g., non-Koreans were not included at Seoul).

4. "Following-To-Join" applicants are included in the survey. Therefore, there could be a substantial number of cases with dependent spouses and children in the backlog whose principal applicants may have already immigrated. This would affect a study of the ratio of principal applicants to dependents by not counting already-admitted members of a family unit (among whom must be the principal), while including its yet-to-immigrate members. On the other hand, although the survey did not distinguish between following-to-join and non-following-to-join dependents, not all who have indicated that they would follow-to-join have an already-admitted principal applicant. A family unit whose plans are not to immigrate all at the same time may indicate before immigration of the first family member that others will "follow-to-join"—and IVACS can list the latter as "following-to-join" applicants.

5. IVACS does not carry information on a principal applicant's marital status *per se*. It does list applicants as "principal", "spouse", or "child". A principal with respect to whom we have no data on dependents is not necessarily unmarried. Moreover, the data on dependents in many cases in the survey are unavoidably far from complete. Our information on a fifth-preference case may rest solely on a long-ago filed petition and possibly a yellowing OF-179. In the interim, the beneficiary may have married (or divorced) a spouse and acquired children, without the embassy being informed or the IVACS data base being updated.

6. Some persons included in the data may have become entitled to status in another immigrant visa category and adjusted status in the United States, unbeknown to the embassy carrying the fifth preference application.

APPENDIX B

FAMILY REUNIFICATION AND THE IMMIGRATION MULTIPLIER ¹

U.S. IMMIGRATION AND NATURALIZATION SERVICE, OFFICE OF PLANS AND ANALYSIS,
STATISTICAL ANALYSIS BRANCH

Introduction

The preference system established by the Immigration and Nationality Act Amendments of 1965 was designed to favor family reunification. Nearly 75 percent of the 570,000 immigrants admitted in fiscal year 1985 qualified under family-reunification categories. Those entering outside these categories, such as refugees or labor-certified workers, also brought their families. An additional 10 percent of 1985 immigrants were admitted because they were spouses or children of refugees or workers. Only 15 percent of the immigrants admitted in 1985 did not qualify based on a family relationship with either a U.S. citizen, legal permanent resident, or an accompanying relative.

The research completed by Jasso and Rosenzweig attempts to determine the magnitude of family-reunification immigration multipliers using a sample cohort of immigrants admitted in fiscal year 1971. We welcome this first attempt to determine the potential number of immigrants based on past immigration and commend Jasso and Rosenzweig on their research. Their research is the first to explicitly measure the factors leading to family reunification immigration.

Their conclusion states "... we have also shown that the magnitudes of the actual multipliers associated with family-reunification provisions are substantially lower than the potential multipliers and lower, as well, than previously supposed." We do not believe that the "low" multipliers are unexpected because of constraints placed on actual immigration by the worldwide and country limitations. We believe their research would be improved if family-reunification immigration was analyzed in two distinct categories: (1) numerically limited and (2) exempt limitation. The number of immigrants who may enter under family-reunification preference subject to limitations are relatively constant from year-to-year. It is not surprising, therefore, that the actual multiplier is low for those subject to numerical limitations. Immediate relatives of U.S. citizens are the more interesting category of immigrants to analyze from a policy standpoint since they are exempt limitation. This is the category of immigrants that has had the largest increase in recent years (See table 1).

TABLE 1.—FAMILY REUNIFICATION IMMIGRATION, BY YEAR

Fiscal year	Subject to limitation	Exempt limitation
1978	190,297	131,825
1979	213,729	142,825
1980	215,856	157,743
1981	226,567	152,359
1982	206,065	168,398
1983	213,488	177,792
1984	212,324	183,247
1985	213,257	204,368
1986	¹ 213,000	¹ 223,000

¹ Estimated

Methodology

Jasso and Rosenzweig first identify a model to calculate the immigration multipliers. The multipliers are calculated by multiplying the probabilities of two events:

(Event 1) an immigrant naturalizes, and

(Event 2) a naturalized immigrant brings in a new immigrant.

Their model only takes into account immigration sponsored by naturalized citizens; therefore, as they state, spouses and children of legal permanent residents (second preference) are not included. Although second preference immigrants are

¹ Family Reunification and the Immigration Multiplier: U.S. Immigration Law, Origin-Country Conditions, and the Reproduction of Immigrants, Guillermina Jasso and Mark R. Rosenzweig, *Demography*, Volume 23, Number 3, pages 291-311.

numerically limited, and of less interest than immigrants exempt limitation, they accounted for 20 percent of all immigrants admitted in fiscal year 1985. The omission of the second preference is a significant limitation in the analysis of the numerically limited family-reunification provisions.

The model also does not include relatives of native-born U.S. citizens, although many spouses of U.S. citizens are sponsored by native-born citizens. The exact number of relatives of native-born U.S. citizens admitted during a year is unknown, but is currently under study by the General Accounting Office. Preliminary findings indicate that over one-half of the immediate relatives of U.S. citizens are sponsored by native-born citizens. These would include, for example, foreign spouses of U.S. Armed Forces personnel and foreign students attending school in this country marrying native U.S. citizens. The specification error in the model due to family-reunification with native U.S. citizens could cause errors in the multipliers, although information to improve the model is currently lacking.

Determinants of immigration flow

Coefficients for the number of immigrants admitted (event 2 above) are calculated based on a sample cohort of immigrants admitted in 1971 using multiple regression techniques. The independent variables used in the regression equations are the stock of naturalized citizens in 1970 who entered at a given point in time and other country-specific variables such as literacy rates, the presence of a U.S. military base, the distance from the United States, etc. The dependent variables for the four regression equations are the number of immigrants admitted by country for the following categories:

- (1) Adult offspring—Eastern Hemisphere Countries
- (2) Siblings—Eastern Hemisphere Countries
- (3) Spouses—Both Hemispheres
- (4) Labor certified

The first three equations were significant, but the last equation with labor-certified immigrants as the dependent variable was not. The major result of the first three equations was a positive and significant relationship between the number of immigrants and the number of naturalized citizens in the United States in 1970 who entered from 1960 to 1964. The relationship between the number of immigrants in 1971 and the number of naturalized citizens in 1970 who entered in 1950 to 1954 was negative. Most of the origin country variables were not significant.

Our main concern with interpreting the results for adult offspring and siblings is that the number of immigrants actually entering the United States are constrained by the worldwide and country limitations. In other words, the immigration law is a significant factor that has not been included in these equations. Nor have Jasso and Rosenzweig considered this factor in interpreting their results. For example, they interpret the negative relationship between the number of immigrants and naturalized citizens who entered in 1950 to 1954 as suggesting "a depletion over time of the stock of home-country individuals eligible to immigrate." We would suggest that changes in immigration law may be the reason for the negative association. Immigration from 1950 to 1954 was primarily from Northern and Western Europe; however, as a direct result of the 1965 Amendments, immigration in 1971 was increasing for Southern and Eastern Europeans and Asians.

The country and preference limits allow for a limited number of immigrants per year compared to those who are eligible and intending to immigrate. The multipliers, therefore, will be based on actual immigration and the coefficients may be altered because it is not possible to measure the effect of the limits. A partial solution to this problem for future research would be to have the dependent variable include the number of people waiting for visas. These figures should be available once the State Department has automated their visa controls. Potential immigrants who were discouraged because of the long backlogs still would not be counted; so, the effects of the ceilings would not be completely eliminated.

The number of spouses of U.S. citizens who may immigrate does not have the constraint of the first two since they are exempt limitation. As stated above, the main result was a positive association with the number of naturalized citizens who entered from 1960 to 1964. The only other variables that were significant were a centrally planned economy and the presence of a U.S. military base. The positive association with the U.S. military base variable is most likely due to the marriage of native U.S. citizens, not naturalized citizens. We believe that family-reunification by native citizens will bias all the equations, but it is probably highest for spouses since adult offspring and siblings of native U.S. citizens are most likely already U.S. citizens and do not need to immigrate.

The significant association between the number of immigrants and the number of naturalized citizens who entered from 1960 to 1964 seems very likely since most of the naturalizations occur between the fifth and tenth year in the United States. The lack of any association for labor-certified immigrants also confirms the conventional wisdom that these immigrants have fewer family ties in the United States.

The coefficients derived in these equations are very important in deriving the final multipliers. We believe the magnitudes must be interpreted with caution since they are most likely biased by the effect of the immigration ceilings and limitations by country and preference category. The multiplier for spouses is influenced by sponsorship by native citizens, as evidenced by the positive association with the presence of a U.S. military base. The magnitudes of the coefficients are also affected by the inclusion of insignificant variables, such as, GNP per capita, literacy rate, distance, and English as an official language in the final regression equations. We suggest that the insignificant variables should be deleted from the final equations, which will alter the value of the coefficients and multipliers. The sensitivity of the coefficients to the number of variables included in the final equations, along with the fact that the immigrant sample is small ($N=2037$), makes us question the magnitude of the coefficients used in the multipliers. It would be very interesting to see how accurate the immigration flow model predicts current immigration considering the rapid increase in Asian immigration.

Determinants of Naturalization

The probability of naturalizing (Event 2) was calculated by logit regression using the linked immigration-naturalization records from the 1971 immigrant sample. The probability of naturalizing was calculated up to the tenth year after entry.

Based on the cohort of naturalizations in fiscal year 1985, the number of aliens who naturalize before 5 years after entry is very low and approximately 60 percent naturalize from 5 to 10 years after entry. Approximately one-third naturalize more than 10 years after entry so they are omitted from the analysis. The magnitude of the multipliers derived by Jasso and Rosenzweig, therefore, will be less than the actual multipliers since they are omitting immigrants who may sponsor relatives more than 10 years after the date of their original entry. It could be argued that this number will be insignificant because sponsorship of relatives is a prime motivator for naturalization (see next paragraph), but the multipliers derived by Jasso and Rosenzweig are most likely lower than the multipliers that one would find over an immigrants lifetime.

The origin-country characteristics used as independent variables for migration flow were also used as possible determinants of naturalization. Unlike the migration model, many of the origin country characteristics were found to be significant for both males and females. The probabilities of naturalizing by original class of entry were quite different for males and females. Among females, sibling spouses had the highest probability of naturalizing within 10 years (.542); however, it was the lowest for males (.286 and not statistically different than zero). The second highest naturalization rates for males were for refugees, but female refugees had the second lowest rates among females. In general, we can not determine any logical reason for the difference in naturalization rates between the sexes. It appears inconclusive to us that there is support for the hypothesis that one incentive for naturalizing is the right of family reunification itself, as stated by Jasso and Rosenzweig.

For females, only 2 of the 7 naturalization coefficients were significantly different than zero. The results for males were much better with 5 to 7 coefficients significant.

The naturalization coefficients are most likely underestimated due to problems with matching the INS immigration and naturalization records. In order to match the two files they must match records containing the same 8-digit alien number. These numbers are used to identify the paper files stored for each alien and should be unique. Unfortunately, the alien numbers on the statistical files were not verified or edited so key-punch errors inevitably caused errors in matching records. This problem has been corrected for more recent data with the newly automated collection systems for immigrants and naturalizations.

Immigration Multipliers

The immigration multipliers were calculated based on the probabilities of naturalization and of immigration for various categories of immigrants. These calculations show that labor-certified immigrants have the highest number of potential future immigrants. As mentioned in the article, this is probably due to the fact that they can potentially take advantage of all family-reunification entitlements. One of the principal conclusions of the paper is that "the preference category most responsible for the chaining of immigrants over time among the citizenship-based categories is

that associated with the reunification of citizens with their siblings (fifth-preference category)." We agree that this category has the most potential for future demand for immigration because of the number of potential relatives residing outside the United States. The total number who may actually immigrate, of course, is limited by the preference and country ceilings.

We are not confident of the magnitude of the final multipliers because of the ceiling limitations and the variability in the coefficients used to determine migration flow and the probability of naturalization. For example, three of the four sibling naturalization coefficients are insignificant, yet these are used to reach the conclusion that the sibling preference is most responsible for chaining.

Summary

Jasso and Rosenzweig have attempted to show the magnitude of actual immigration multipliers. Their results show that the multipliers may be "lower than previously supposed." We believe that the actual multipliers must be low for numerically limited categories because of the country and preference ceilings. As shown in table 1, the actual multipliers are low because actual immigration under numerically limited family reunification has not increased in recent years. Increases in family-reunification immigration have occurred in the categories exempt from numerical limitations (immediate relatives of U.S. citizens). Jasso and Rosenzweig examined spouses of U.S. citizens, but not children or parents. Their results show that the number of spouses of U.S. citizens is related to the number of naturalized citizens who immigrated between 5 and 10 years before the sponsored immigrant. These results confirm that naturalized citizens sponsor spouses but it does not address the sponsorship of spouses by native citizens. This appears to be a significant factor since the presence of a U.S. military base in a country was positively related to the number of immigrant spouses of U.S. citizens.

COMMENT ON "FAMILY REUNIFICATION AND THE IMMIGRATION MULTIPLIER: U.S. IMMIGRATION LAW, ORIGIN-COUNTRY CONDITIONS AND THE REPRODUCTION OF IMMIGRANTS," GUILLERMINA JASSO AND MARK R. ROSENZWEIG, *DEMOGRAPHY* 23 (3, AUGUST 1986), 291-313

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INTRODUCTION

This article by Jasso and Rosenzweig (J&R) is an extremely important piece of research. It is the first attempt to examine empirically the possible effects of provisions of U.S. immigration law, specifically the family reunification provisions, on the numbers of immigrants coming to the United States. This is an area where there has been a great deal of debate, but little useful research. J&R attempt to shed some light on a difficult research problem.

J&R have taken a thoughtful and creative approach to the problem of estimating how many immigrants eventually enter the United States through family reunification provisions as a result of one immigrant's entry. They have produced an interesting model for measuring immigration multipliers, but unfortunately the data needed to estimate the model in its most appropriate form do not exist. Rather, J&R have been resourceful in making innovative use of existing data and statistical modeling to attempt to estimate the effects of family reunification provisions on the numbers of immigrants.

There remain a number of problems with J&R's approach and consequently with their results. Some of the concepts have proved difficult to operationalize with the existing data. In particular, it is currently not possible to get data on several important factors in their model, notably the linkages between the category of admission of an original immigrant and the categories under which various relatives are admitted later. J&R attempt some rather interesting solutions, but meet with varying degrees of success.

We found several methodological problems that may limit the applicability of the results. For example, the results appear sensitive to alternative assumptions and the parameters of the model may be subject to a great deal of variability. Furthermore, the results one would get using current data rather than data on 1971 immigrants might be considerably different. Thus, the policy implications of the research may be limited. Nonetheless, Jasso and Rosenzweig are to be commended for an outstanding piece of research and a useful contribution to the immigration literature.

METHOD

J&R model the process by which immigrants bring in family members under the reunification provisions of U.S. law with what they term life table methods. They define $M^j_i, T+k$ as the number of immigrants of visa category i who are brought into the country through time $T+k$ by an immigrant who entered in category j at time T . Since only U.S. citizens can petition for the entry of certain kinds of relatives, J&R partition the probability that an immigrant will bring in a new immigrant into two pieces: (1) $n^j_i, T+k$ or the probability that an immigrant who enters in class j at time T will naturalize within k years after entry; and (2) $d^j_i, T+k$ or the probability that a naturalized citizen who entered in class j at time T will bring in a new immigrant k years after entry through provision i of the immigration law. The first term, $n^j_i, T+k$, is the NATURALIZATION RATE; the second, $d^j_i, T+k$ is the SPONSORSHIP RATE. In their application, J&R simply multiply these rates together without making explicit use of life table cohort models (or even more sophisticated hazards models, or the like).

J&R use two principal data sets to estimate the two parameters. They use a probability sample of aliens admitted for permanent residence in 1971 which has been matched to the individual's naturalization records for 1971-81 and origin-country characteristics. This data set is used to estimate the determinants of naturalization and to estimate duration-specific naturalization probabilities for the various classes of immigrants, i.e., the $n^j_i, T+k$, (shown in table 4 of the paper).

The other data are counts of naturalized citizens tabulated from a 1-in-100 sample of 1970 census records. The census counts and data on conditions in the countries of origin are used to estimate country-specific flows of immigrants to the United States, i.e. the $d^j_i, T+k$ (shown in table 3) or how many new immigrants come to the United States per naturalized citizen. Most of our technical comments below relate to the estimation of the sponsorship rates, $d^j_i, T+k$. One principal limitation of this phase of the estimation is noted by J&R (p. 295). The model calls for linking new immigrants in category i to the category of admission j for the initial immigrant. The data sets used by J&R do not contain the data required to establish these links (nor do they apparently exist elsewhere at this time). Thus, they must assume that sponsorship rates may differ by category of the relative petitioned for (i), but that they do not differ by entry category of the petitioner (j); that is, J&R estimate $d^i, T+k$ rather than $d^j_i, T+k$. This limitation could have a marked effect on the estimated numbers of future immigrants. However, with the current data, there does not appear to be any way around the obstacle.

Finally, J&R combine the estimated sponsorship and naturalization rates into estimates of future immigrants per immigrant admitted for each entry category, separately for each sex. The combinations, presented in tables 5 and 6, are done according to the model specified in table 1.

GENERAL COMMENT

In the social sciences as well as in many other analysis and policy areas, researchers face a general problem about their work and its application. One is always constrained to use data about the past because that's all one ever has, but one hopes to reach conclusions about how the future will behave. The solution is usually to generalize from the past in the hope that the future will behave the same way, or to attempt to derive general laws that are applicable across time. This is the way science works now and always has.

J&R's work on determinants of immigration uses data from a critical juncture in U.S. immigration history. The new law of 1965 changed the rules of the game. The sources of immigration (countries of origin) changed dramatically during the 1970's. The data used by J&R focus on naturalizations of immigrants who entered during the early 1960's, before the new law was passed and obviously before any effects could be felt. At that time, most of the immigrants were from European countries (and most of the countries in their regressions are European). Emigration rates then tended to be somewhat higher than today; and naturalization rates were apparently somewhat lower.

The context of immigration and family reunification today is considerably different from the context in which J&R estimate sponsorship rates (and to some degree, naturalization rates, too). Today, most immigration is from Latin America and Asia. Emigration, particularly to Asia, appears to be lower than it generally was in the past. Naturalization rates appear to be higher now. Although the changes that have occurred do not necessarily invalidate the findings of J&R, they do raise questions about the generalizability of their findings to contemporary immigration. It is not at

all clear that by 1970 the law had been in place long enough for its effects to show up in the data.

TECHNICAL COMMENTS

Sponsorship rates

J&R estimate sponsorship rates, the d' , $T+k$, as coefficients in regression equations relating the number of naturalized citizens in the country to the number of immigrants admitted in a year. (See table 3 of the J&R paper.) The unit of analysis in each of the equations is the country of origin. The dependent variable is the number of immigrants admitted in fiscal year 1971 from each country for the particular class of immigrants (j). The independent variables include the number of naturalized citizens from each country residing in the United States who entered the United States during 1960-64, 1955-59, and 1950-54; other independent variables are characteristics of the immigrants' countries of origin.

The crucial variable in the regression analyses is the number of naturalized citizens in the United States who entered during the 1960-64 period. The coefficient of this variable, which is used in estimating the "immigration multiplier," represents the number of immigrants who entered the United States in category i during fiscal year 1971 per naturalized citizen residing in the country. Thus, the regression coefficient is the sponsorship rate.

Unfortunately, there are known deficiencies in the data on naturalized citizens as counted in the census. In particular, the census figures tend to overstate the true number. J&R are well aware of this problem. To correct for the overstatement of naturalized citizens in the 1970 census, they choose to use two-stage squares (2SLS) to estimate the regression equation rather than ordinary least squares (OLS). An alternative approach (and one that we prefer for reasons discussed below) would have been to construct a demographic estimate of naturalized citizens by period of entry for each country. Because of their concern about the quality of data on emigration, J&R opted against this approach.

The 2SLS approach first estimates regression equations in which the "problem" variables are the dependent variables. In this case, there were three first-stage equations—one each for the number of naturalized citizens in the United States in 1970 who entered during 1960-64, 1955-59, and 1950-54. The independent variables used in the first-stage regressions were lagged values of the predictors used in the second-stage (i.e., the variables shown in table 3); a better choice here might have been to use the numbers of immigrants admitted as a predictor of the number of naturalized citizens. In the second-stage regression, the predicted values of the number of naturalized citizens from the first-stage regression are used for the values of the independent variables (i.e., numbers of naturalized citizens) rather than the actual census figures.

The rationale behind the 2SLS approach is that errors in the values of the first-stage variables are removed by the first-stage regression. This assumption is valid when the errors are random or there is a systematic bias which affects all of the values. For the case of the Eastern Hemisphere countries, the underlying assumption appears valid. However, we have major reservations regarding the accuracy of the approach for all countries of origin; specifically, the errors in the data for Mexico are so large as to seriously compromise the 2SLS approach. (This problem is discussed in more detail below.)

Another problem which affects all of the regressions shown in table 3 is the size of the census sample, as used in the first-stage regressions for naturalized citizens. J&R use the PUMS 1-in-100 sample from the 1970 census to measure the number of naturalized citizens. For many countries of origin, the sampling variability on the estimate would be very large since the numbers are quite small. By way of contrast to illustrate this problem, the Census Bureau showed data on naturalized citizens for only 22 separate countries when publishing data from the entire 1970 census sample (the 5-percent sample). These 22 countries accounted for about 90 percent of the naturalized citizens in 1970. Thus, when J&R use data for 87 countries (or 64 countries) based on a 1-in-100 sample, they have some extremely small cells in their tabulations since one-quarter of the countries have almost all of the cases.

Adult offspring.—The first category of immigrants for which J&R estimate sponsorship rates is adult offspring of immigrants from Eastern Hemisphere countries (table 3). According to the notes in table 3, there are 64 countries included in the analysis. However, our calculations show that there are only 43(!) cases of adult offspring immigrants included in their fiscal year 1971 sample: 30 males and 13 females. (See table 2.) Thus, what J&R have done is to tabulate the 43 cases into 64 categories and then use the tabulated values as dependent variables in the second-

stage regression. Clearly, the vast majority of the countries must have had no such immigrants. There are simply too few cases of adult offspring in the J&R sample to have any confidence in the value of the sponsorship rate calculated in table 3. (As an aside, note that the 2SLS approach has almost no effect on the estimated sponsorship rate, d' , $T + k$.)

Siblings.—The principal problems with the regression used to estimate sponsorship rates for siblings from the Eastern Hemisphere are similar to those described for the adult offspring category. Again, there are very few actual cases in the tabulations of immigrants. In the analysis of the fiscal year 1971 sample used by J&R, there are only 147 immigrants admitted as siblings from the Eastern Hemisphere (an average frequency of only about 2.3 cases per country). Even if their analysis included spouses of principals admitted as siblings (which is not clear from the paper), there are only 262 cases, or about 4 per country. The same figures from the 1-in-100 sample of the census are used here. The 2SLS approach again does not lead to a very different estimate for the sponsorship rate.

Spouses of U.S. citizens.—The number of cases for this final regression analysis is larger than for the other analyses, 468 cases, but is still not extremely large. The average frequency is only a little over 5 cases per country because 87 countries are involved in this analysis. Another problem in this analysis is that some of these persons admitted as spouses of U.S. citizens are spouses of native-born citizens, not naturalized citizens. Since spouses of native-born citizens are not being sponsored by previously admitted immigrants, they should not be included in an equation for estimating a sponsorship rate. By including them, J&R probably overestimate the sponsorship rate for this category. (It should also be noted that there is probably no way of correcting this data set for this problem.)

Of even greater importance for the analysis of spouses of U.S. citizens is the effect of the 2SLS on the estimated sponsorship rate. The OLS estimate of this rate is .0166, where the 2SLS estimate is .139—a figure more than eight times as large! Clearly, the 2SLS approach makes a difference. An important question is whether the 2SLS approach is correcting for correlated errors in the variables and response errors in the naturalized citizen data from the 1980 census or is it biasing the coefficients in the final equation? These issues cannot be readily addressed with the data presented in the paper, but we think there is a problem with the 2SLS estimate of the sponsorship rate.

The most important of the first-stage regression equations uses 1970 census data on the number of naturalized citizens who entered during 1960–64 by country as the dependent variable and a number of origin-country characteristics as independent variables. The regression estimate from the resulting equation is then used as input to the second-stage regression. A major problem with this approach is that only a few of the 87 countries used in the analysis have such a large proportion of the cases that they can distort the true relationship between the independent and dependent variables. Of the 357,128 naturalized citizens who entered during 1960–64 according to the 1970 census, 40,947 or 11.5 percent were born in Mexico. Another 40,160 or 11.2 percent were born in Cuba and 36,557 or 10.2 percent were born in Germany. Thus, almost one-third of the naturalized citizens who entered during 1960–64 come from only 3 of the 87 countries used in the analysis.

The dramatic concentration of naturalized citizens from the period in just a handful of the countries being analyzed does not necessarily represent a major problem. However, a simple comparison of administrative counts of naturalizations for the entry cohort with the reported census figures shows that the nature of reporting problems for these 3 countries varies considerably. For Germany, the reported census figure is actually about 20 percent lower than the administrative counts from INS. Thus, if emigration and mortality are taken into account, the reporting for Germany may not have been seriously in error in the 1970 census. Cuba, on the other hand, shows about 60 percent more naturalized citizens in the 1970 census than the administrative counts; clearly a large misreporting error. Mexico represents a far more serious problem than either of these 2 countries. The count from the 1970 census is 650 percent higher than the numbers recorded by INS.

With the three most important countries in the first-stage equation showing such vastly different reporting patterns for the citizenship category, it is hard to believe that the equation can actually be correcting for such errors. Thus, we do not have much confidence that the figures used as input to the second-stage reflect reasonable estimates of the number of naturalized citizens in the country in 1970. As a result, the "true" sponsorship rate for spouses of U.S. citizens could differ by a great deal from the coefficient shown in table 3. We suspect it is lower than the 2SLS estimate, but really have no way of confirming this.

General Comment.—One other result in table 3 which we find troubling is the significant negative coefficients for naturalized citizens who entered the U.S. during 1950-54. J&R suggest that this signifies a depletion in the stock of potential immigrants. However, by the same arguments that relate 1960-64 entrants to fiscal year 1971 immigrants, we would expect the number of naturalized citizens from a country who entered in 1950-54 to be related to the number who entered in 1960-64 and thus to the number of immigrants who entered in fiscal year 1971. The negative coefficient seems to suggest the presence of some multicollinearity rather than a substantive conclusion.

Naturalization rates

J&R produce maximum-likelihood logit estimates of the $n_j, T+10$, i.e., the probability that an immigrant admitted in category j will naturalize within 10 years of admission, for the fiscal year 1971 cohort of immigrants. The estimates are produced separately by sex for seven categories of entrants (table 4). The 1-in-100 sample of immigrants that they use is matched to naturalization records and is an excellent set of data for producing the required estimates. Furthermore, their approach is especially noteworthy because they are able to control for immigrant class at admission, a variable which is not available in naturalization records. J&R point out that the probabilities (and patterns) are significantly different for males and females. We would also add that many of the categories have essentially the same probabilities.

Our only concern is that the estimate of $n_j, T+10$ represents the probability of having naturalized by the end of the 10-year period. Yet, when J&R use the estimate, it is in a context of estimating sponsored immigrants who enter in the period between 5 and 10 years after the entry of the sponsoring immigrant. Thus, the estimate is higher than the actual probability of having naturalized during the interval. This discrepancy illustrates the artificial nature of the immigration multiplier model.

Computing the immigration multipliers

J&R compute immigration multipliers using the model outlined in table 1 with sponsorship rates from table 3, naturalization probabilities from table 4, and probabilities of being ever-married at entry and never-married at naturalization from table A. The estimates in tables 5 and 6 are made separately by sex, but they do not use sex-specific sponsorship rates (in spite of the fact that sponsorship patterns by sex could be quite different). These tables include many "structural zeroes," i.e., cells which are defined as zero because they are impossible or highly unlikely.

Differences in estimated multipliers for arriving immigrants arise from a number of factors. The number of possible categories of sponsored immigrants (i.e., the number of structural zeroes in the row) affects the size of the multiplier. The probability of naturalization is the same across each row and thus affects the row total. The sponsorship rate, which is the other major factor, should be different for each cell in a fully estimated model. However, because of the data constraints noted by J&R and discussed earlier, they are forced to assume that the sponsorship rate is the same in each column of the table. (In fact, because J&R do not estimate sex-specific sponsorship rates, the rates are the same in corresponding columns of tables 5 and 6.) Because of the necessity of making these assumptions, principally regarding sponsorship rates, one cannot be sure that the immigration multipliers realistically reflect differences by class of admission of the sponsor immigrant.

On a more technical level, J&R makes several other assumptions in computing the multipliers. The sponsorship rate from table 3 applies to 1 year's immigrants for sponsors with duration of residence 7.5 years on average. In estimating the multipliers, J&R assume that this rate applies for sponsors during each year of a 5-year period from the 5th through the 10th year of residence. This assumption is certainly not unreasonable, as it amounts to assuming that the experience captured in the 1970 census can be applied on average for a prospective 5-year period.

The implicit assumptions made by J&R concerning the naturalization rate may be less reasonable, however. As noted earlier, the rates calculated in table 4 represent the probability of naturalizing by the end of a 10-year period, i.e., $n_j, T+10$. However, in computing immigration multipliers for the period from $T+6$ to $T+10$, the probabilities of having naturalized (i.e., being able to sponsor a new immigrant) should differ for each year. In particular, for the year $T+6$, the probability is $n_j, T+6$; for the year $T+7$, $n_j, T+7$; and so on. Yet, from the data shown in figure 1, it is clear that each of the probabilities from $n_j, T+6$ to $n_j, T+9$ is less than $n_j, T+10$. Thus, the use of $n_j, T+10$ throughout the calculation leads to overstatement of naturalizations with the result that the multipliers should be smaller than those in tables 5 and 6.

One final comment regarding the model underlying tables 5 and 6. The model assumes no exogenous effects on sponsorship. If an immigrant wishes to sponsor another immigrant, it is assumed that the sponsored immigrant will enter the country. In reality, the number of sponsored immigrants is constrained by ceilings and backlogs of visa applications. To some extent, such an effect might be incorporated into the calculation of the sponsorship rates in table 3. However, in fiscal year 1971 (the year on which the rates are based), immigration law relating to the Western Hemisphere was quite different from contemporary statutes. The backlogs were nowhere near what they are today. Furthermore, given the extremely high demand to immigrate from certain countries (e.g., Hong Kong, Philippines, Mexico), it seems plausible that the ceilings today represent smaller proportions of the demonstrated demand than during the period for which J&R's research is applicable. The ceilings imposed almost surely have a different effect now.

CONCLUSION

The research by Jasso and Rosenzweig represents a very resourceful and interesting first step toward understanding the quantitative impact of present immigration on future immigration. However, limitations of the data and methods that they used warrant caution in interpreting their results. In addition, their research is based on immigration in the 1960's and naturalizations from the 1970's. The 1980's present a very different situation in the world in general, in the United States, and in the context of immigration laws and regulations.

The approach used by Jasso and Rosenzweig and their applications of available data set the stage for further exploration of issues on determinants of immigration and immigration multipliers. They have provided a framework within which measures can be developed and refined and which provides a basis for further extensions. Increased automation at the Immigration and Naturalization Service in recent years may eventually lead to the availability of the types of data needed to estimate immigration multipliers. If so, future work will not have to be based on the types of simplifications and assumptions that Jasso and Rosenzweig were required to make. Obviously, there is still a great deal to be learned about who immigrates to the United States and why.

APPENDIX C

GAO STUDY OF IMMIGRATION FLOW

QUESTIONS ASKED

Has recent immigration of individuals from countries where family sizes are typically large laid the basis for explosive growth in future legal immigration, as immigrants are admitted, become U.S. citizens, and seek to bring in their relatives outside the numerical limitations as exempt-immediate-relative immigrants? Would such explosive growth be offset by factors currently working in the opposite direction, such as current decreases in the annual number of refugees becoming immigrants?

GAO is addressing these questions by developing improved forecasts of the numbers and characteristics of future legal immigrants. In doing this work, GAO is considering the major components of legal immigration (the six numerically limited preference categories, refugees and exempt-immediate relatives) separately. GAO also is disaggregating the analysis and projections by major country of birth, a breakdown not addressed in current projections. To assist in answering questions concerning exempt-immediate-relative immigration, GAO is examining the characteristics, petitioning rates and immigration history of spouses for this class of immigrants.

METHOD FOR ANSWERING THESE QUESTIONS

Two research tasks—describing past immigration flows and projecting future flows—are based on time-series analysis and modeling of monthly data from Immigration and Naturalization Service (INS) files on numbers and characteristics of immigrants from 1972 through 1985, as well as State Department data on backlogs of immigrant visa applicants and projections of future numbers of refugees. A third research task, description of how immigration is partially offset by emigration, will add balance to immigration projections and is being done by an information synthesis of existing studies.

Another objective of the study is to increase understanding of the processes affecting the legal immigration of exempt immediate relatives. Major subquestions include the relative proportions of immigrants sponsored by native-born—as contrasted to naturalized—citizens and the time lags between the arrival of immigrants and the arrival of subsequent immigrants whom they sponsor. To address this objective, GAO is assembling and analyzing the first data base ever constructed from INS records which links information on a representative sample of recent immigrants and their sponsors or petitioners.

WHEN FINDINGS WILL BE AVAILABLE

GAO has completed data collection and is in the process of analyzing the information and developing a report on the results which is expected by summer, 1987.

